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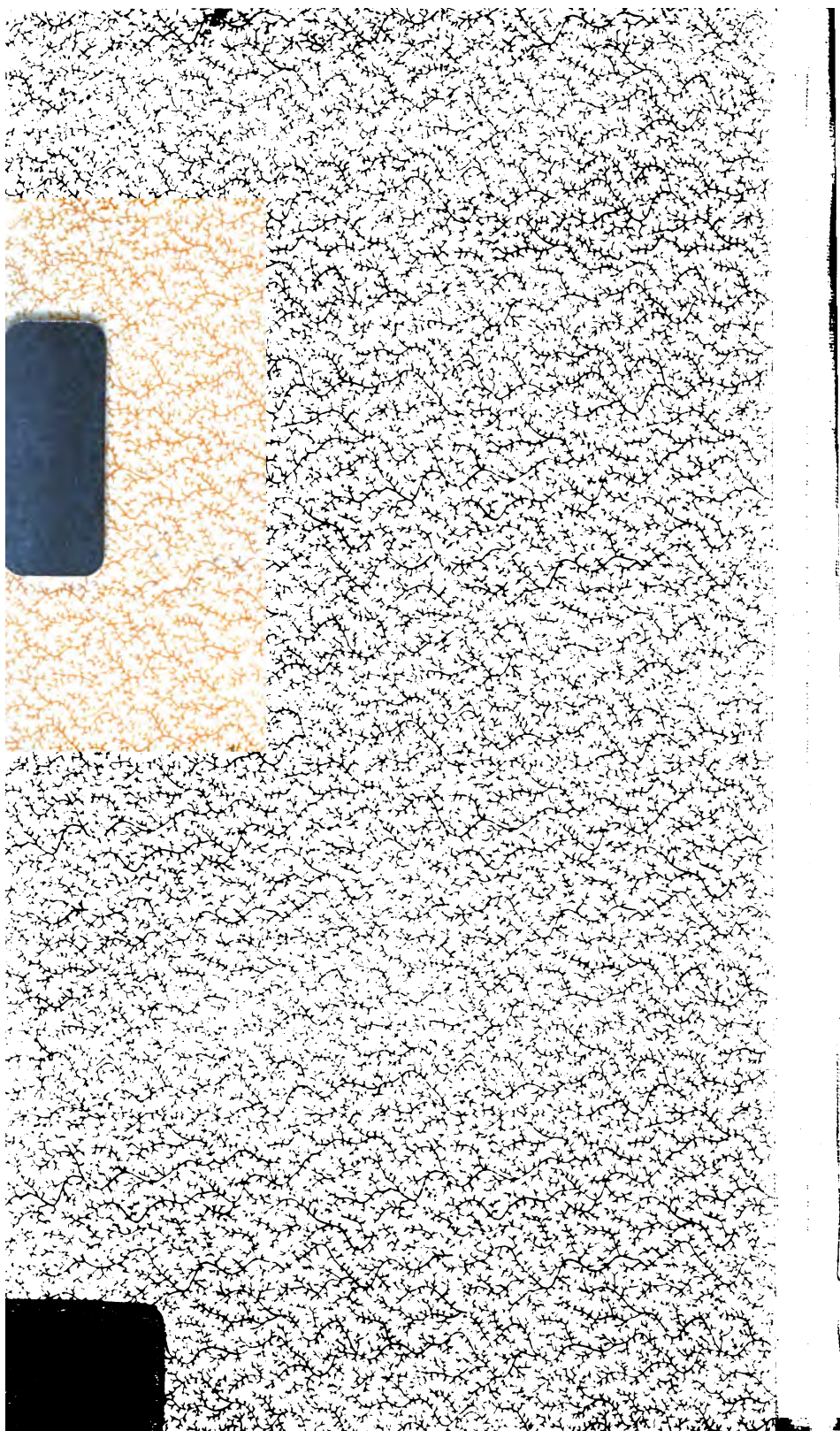
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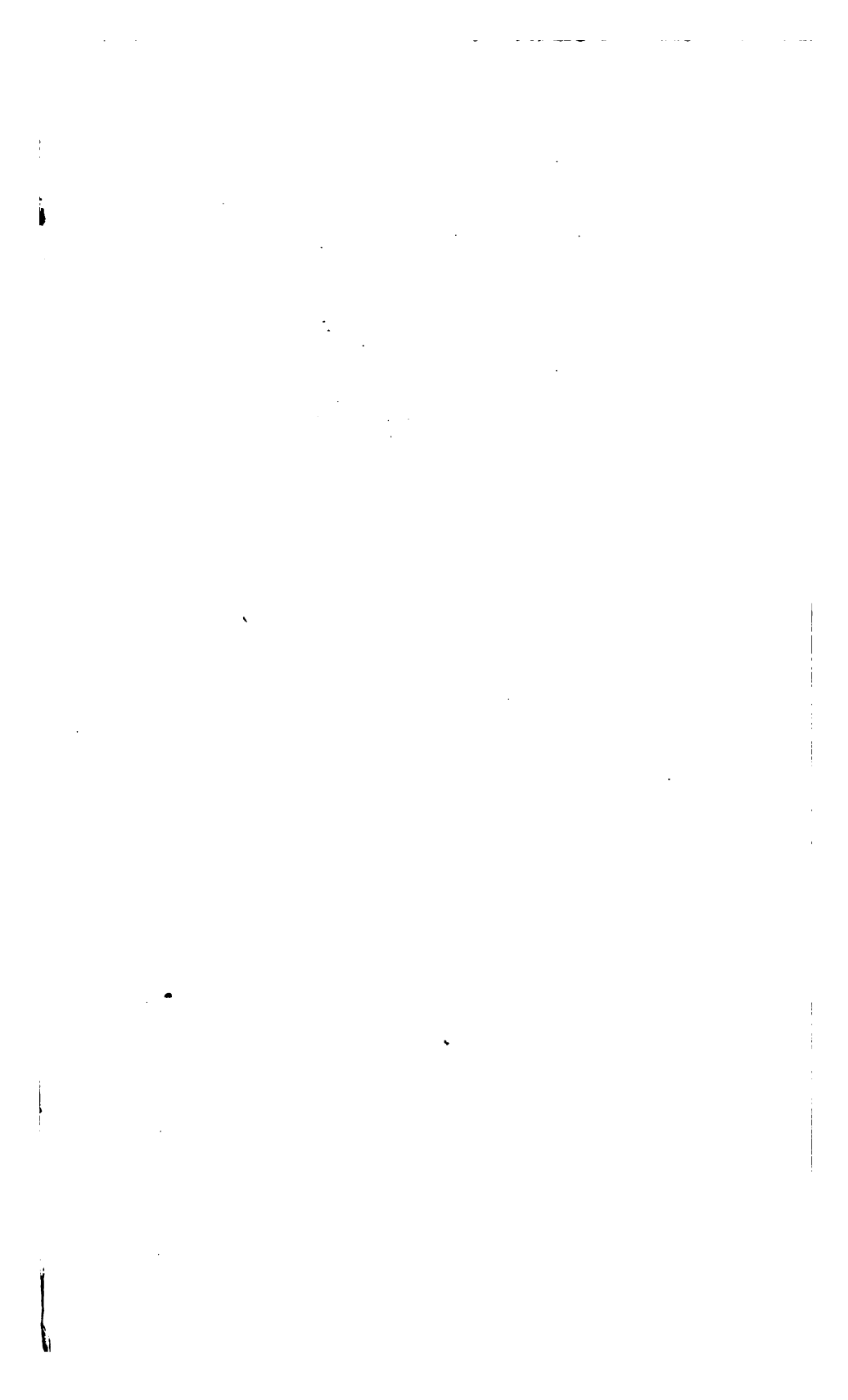
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By CHARLES PHILLIPS, Esq.

ALSO,
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DRAWN UP BY HIM AT THE REQUEST OF THE IRISH CATHOLICS;

HIS
CHARACTER OF NAPOLEON ;

HIS
LINES TO MR. MAGEE,
OF THE DUBLIN EVENING POST;
THE CRITIQUE OF THE EDINBURGH REVIEW,
ON HIS ORATORY;
... AND HIS

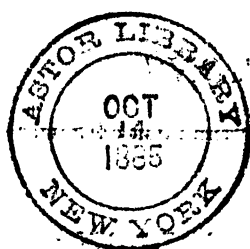
LETTER TO THE EDINBURGH REVIEWERS,
IN DEFENCE OF IT.

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Mr. PHILLIPS's Speeches have received the highest distinction which could be given to them in England—eager reception, from the mansion to the hovel. In some instances, the demand has been so great, that the press could hardly keep pace with general curiosity. When, as by acclamation, the public voice has given its highest praise, it would not be becoming to say more, than that the present collection has been made with a view to the accommodation and convenience of readers of all classes.

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SPEECH.

MY LORD AND GENTLEMEN,

IN this case I am of counsel for the Plaintiff, who has deputed me, with the kind concession of my much more efficient colleagues, to detail to you the story of his misfortunes. In the course of a long friendship which has existed between us, originating in mutual pursuits, and cemented by our mutual attachments, never, until this instant, did I feel any thing but pleasure in the claims which it created, or the duty which it imposed. In selecting me, however, from this bright array of learning and of eloquence, I cannot help being pained at the kindness of a partiality which forgets its interest in the exercise of its affection, and confides the task of practised wisdom to the uncertain guidance of youth and inexperience. He has thought, perhaps, that truth needed no set phrase of speech; that misfortunes should not veil the furrows which its tears had burned; or hide, under the decorations of an artful drapery, the heart-rent heavings with which its bosom throbbed. He has surely thought that, by contrasting mine with the powerful talents selected by his antagonist, he was giving you a proof that the appeal he made was to your reason, not to your feelings;—to the integrity of your hearts, not the exasperation of your passions. Happily however for him, happily for you, happily for the country, happily for the profession, on subjects such as this, the experience of the oldest amongst us is but slender;—deeds such as this are not indigenous to an Irish soil, or naturalized beneath an Irish climate. We hear of them, indeed, as we do of the earthquakes that convulse, or the pestilence that infects, less favoured regions; but the record of the calamity is only read with the generous scepticism of innocence, or an involuntary thanksgiving to the Providence that has preserved us. No matter how we may have graduated in the scale of nations; no matter with what wreath we may have been adorned; of what blessings we may have been denied; no matter what may have been our leuds, our follies, or our misfortunes; it has at least been universally conceded, that our hearths were the home of the domestic virtues, and that love, honour, and conjugal fidelity, were the dear and indisputable deities of our household:—around the fire-side of the Irish hovel hospitality circumscribed its sacred circle: and a provision to punish created a suspicion of the possibility of its violation. But of all the ties that bound,—of all the bounties that blessed her,—Ireland most obeyed, most loved, most revered, the nuptial contract. She saw it the gift of Heaven, the charm of earth, the joy of the present, the promise of the future, the innocence of enjoyment, the chastity of passion, the sacrament of love:—the slender curtain that shades the sanctuary of her marriage-bed, has in its purity the splendour of the mountain snow, and for its protection the texture of the mountain adamant. Gentlemen, that

national sanctuary has been invaded ; that venerable divinity has been violated ; and its tenderest pledges torn from their shrine, by the polluted rapine of a kindless, heartless, prayerless, remorseless Adulterer ! To you,—religion defiled, morals insulted, law despised, public order foully violated, and individual happiness wantonly wounded,—make their melancholy appeal. You will hear the facts with as much patience as indignation will allow ;—I will, myself, ask of you, to adjudge them with as much mercy as justice will admit.

The Plaintiff in this case is JOHN GUTHRIE ; by birth, by education, by profession, by better than all, by practice and by principles,—a *gentleman*. Believe me, it is not from the commonplace of advocacy, or from the blind partiality of friendship, that I say of him, that whether considering the virtues that adorn life, or the blandishments that endear it, he has few superiors. Surely, if a spirit that disdained dishonour, if a heart that knew not guile, if a life above reproach, and a character beyond suspicion, could have been a security against misfortunes, his lot must have been happiness. I speak in the presence of that profession to which he was an ornament, and with whose members his manhood has been familiar ; and I say of him, with a confidence that defies refutation, that, whether we consider him in his private or his public station, as a man or as a lawyer, there never breathed that being less capable of exciting enmity towards himself, or of offering, even by implication, an offence to others. If he had a fault, it was, that, above crime, he was above suspicion ; and to that noblest error of a noble nature he has fallen a victim. Having spent his youth in the cultivation of a mind which must have one day led him to eminence he became a member of the profession by which I am surrounded. Possessing as he did a moderate independence, and looking forward to the most flattering prospects, it was natural for him to select amongst the other sex, some friend who should adorn his fortunes, and deceive his toils. He found such a friend, or thought he found her, in the person of Miss Warren, the only daughter of an eminent Solicitor. Young, beautiful, and accomplished, she was “ adorned with all that earth or Heaven could bestow to make her amiable.” Virtue never found a fairer temple ; beauty never veiled a purer sanctuary : the graces of her mind retained the admiration which her beauty had attracted, and the eye, which her charms fired, became subdued and chastened in the modesty of their association. She was in the dawn of life, with all its fragrance round her, and yet so pure, that even the blush, which sought to hide her lustre, but disclosed the vestal deity that burned beneath it. No wonder an adoring husband anticipated all the joys this world could give him ; no wonder the parental eye, which beamed upon their union, saw, in the perspective, an old age of happiness, and a posterity of honour. Methinks I see them at the sacred altar, joining those hands which Heaven commanded none should separate, repaid for many a pang of anxious nurture by the sweet smile of filial piety ; and, in the holy rapture of the rite, blessing

the Power that blessed their children, and gave them hope their names should live hereafter. It was Virtue's vision! None but fiends could envy it. Year after year confirmed the anticipation; four lovely children blessed their union. Nor was their love the summer passion of prosperity: misfortune proved, afflictions chastened it: before the mandate of that mysterious power which will at times despoil the paths of innocence, to decorate the chariot of triumphant villany, my client had to bow in silent resignation. He owed his adversity to the benevolence of his spirit; he "went security for friends;" those friends deceived him; and he was obliged to seek, in other lands, that safe asylum which his own denied him. He was glad to accept an offer of professional business in Scotland during his temporary embarrassment. With a conjugal devotion, Mrs. Guthrie accompanied him; and in her smile the soil of a stranger was a home, the sorrows of adversity were dear to him. During their residence in Scotland, a period of about a year, you will find they lived as they had done in Ireland, and as they continued to do until this calamitous occurrence, in a state of uninterrupted happiness. You shall hear, most satisfactorily, that their domestic life was unsullied and undisturbed. Happy at home, happy in a husband's love, happy in her parents' fondness, happy in the children she had nursed, Mrs. Guthrie carried into every circle,—and there was no circle in which her society was not courted, that cheerfulness which never was a companion of guilt or a stranger to innocence. My Client saw her the pride of his family, the favourite of his friends; at once the organ and ornament of his happiness. His ambition awoke, his industry redoubled; and that fortune which though for a season it may frown, never totally abandons probity and virtue, had begun to smile on him. He was beginning to rise in the ranks of his competitors, and rising with such a character, that emulation itself rather rejoiced than envied. It was at this crisis, in this, the noon of his happiness, and day-spring of his fortune, that, to the ruin of both, the Defendant became acquainted with his family. With the serpent's wile, and the serpent's wickedness, he stole into the Eden of domestic life; poisoning all that was pure, polluting all that was lovely, defying God, destroying man, a demon in the disguise of virtue, a herald of hell in the paradise of innocence. His name, Gentlemen, is WILLIAM PETER BAKER DUNSTANVILLE STERNE: one would think he had epithets enough, without adding to them the title of *Adulterer*. Of his character I know but little, and I am sorry that I know so much. If I am instructed rightly, he is one of those vain and vapid coxcombs, whose vices tinge the frivolity of their follies with something of a more odious character than ridicule—with just head enough to contrive crime, but not heart enough to feel for its consequences; one of those fashionable insects, that folly has painted, and fortune plumed, for the annoyance of our atmosphere; dangerous alike in their torpidity and their animation; infesting where they fly, and poisoning where they repose. It was through the introduction

of Mr. *Fallon*, the son of a most respectable lady, then resident in Temple-street, and a near relative of Mr. Guthrie, that the Defendant and this unfortunate woman first became acquainted : to such an introduction the shadow of a suspicion could not possibly attach. Occupied himself in his professional pursuits, my Client had little leisure for the amusement of society : however, to the protection of Mrs. Fallon, her son, and daughters, moving in the first circles, unstained by any possible imputation, he without hesitation entrusted all that was dear to him. No suspicion could be awakened as to any man to whom such a female as Mrs. Fallon permitted an intimacy with her daughters ; while at her house then, and at the parties which it originated, the Defendant and Mrs. Guthrie had frequent opportunities of meeting. Who could have suspected that, under the very roof of virtue, in the presence of a venerable and respected matron, and of that innocent family, whom she had reared up in the sunshine of her example, the most abandoned profligate could have plotted his iniquities ! Who would not rather suppose, that, in the rebuke of such a presence, guilt would have torn away the garland from its brow, and blushed itself into virtue. But the depravity of this man was of no common dye : the asylum of innocence was selected only as the sanctuary of his crimes ; and the pure and the spotless chosen as his associates, because they would be more unsuspected subsidiaries to his wickedness. Nor were his manner and his language less suited than his society to the concealment of his objects. If you believed himself, the sight of suffering affected his nerves ; the bare mention of immorality smote upon his conscience ; an intercourse with the Continental Courts had refined his mind into a painful sensibility to the barbarisms of Ireland ! and yet an internal tenderness towards his native land so irresistibly impelled him to improve it by his residence, that he was a hapless victim to the excess of his feelings !—the exquisiteness of his polish !—and the excellence of his patriotism ! His English estates, he said, amounted to about 10,000*l.* a year : and he retained in Ireland only a trifling 3000*l.* more, as a kind of trust for the necessities of its inhabitants ! . In short, according to his own description, he was in religion a saint, and in morals a stoic !—a sort of wandering philanthropist ! making, like the *Sterne* who, he confessed, had the honour of his name and his connexion, a *Sentimental Journey* in search of objects over whom his heart might weep, and his sensibility expand itself !

How happy it is, that, of the philosophic profligate only retaining the vices and the name, his rashness has led to the arrest of crimes, which he had all his turpitude to commit, without any of his talents to embellish. It was by arts such as I have alluded to,—by pretending the most strict morality, the most sensitive honour, the most high and undeviating principles of virtue,—that the Defendant banished every suspicion of his designs. As far as appearances went, he was exactly what he described himself. His pretensions to morals he sup-

ported by the most reserved and respectful behaviour ; his hand was lavish in the distribution of his charities ; and a splendid equipage, a numerous retinue, a system of the most profuse and prodigal expenditure, left no doubt as to the reality of his fortune. Thus circumstanced, he found an easy admittance to the house of Mrs. Fallon, and there he had many opportunities of seeing Mrs. Guthrie ; for, between his family and that of so respectable a relative as Mrs. Fallon, my Client had much anxiety to increase the connexion. They visited together some of the public amusements ; they partook of some of the fêtes in the neighbourhood of the metropolis ; but, upon every occasion, Mrs. Guthrie was accompanied by her own mother, and by the respectable females of Mrs. Fallon's family. I say upon *every* occasion : and I challenge them to produce one single instance of those innocent excursions, upon which the slanders of an interested calumny have been let loose, in which this unfortunate lady was not matronized by her female relatives, and those, some of the most spotless characters in society. Between Mr. Guthrie and the Defendant, the acquaintance was but slight. Upon one occasion alone they dined together ; it was at the house of the Plaintiff's father-in-law ; and, that you may have some illustration of the Defendant's character, I shall briefly instance his conduct at this dinner. On being introduced to Mr. Warren, he apologised for any deficiency of etiquette in his visits, declaring that he had been seriously occupied in arranging the affairs of his lamented father, who, though tenant for life, had contracted debts to an enormous amount ; he had already paid upwards of 10,000*l.* which honour, and not law, compelled him to discharge ; as, sweet soul ! he could not bear that any one should suffer unjustly by his family ! His subsequent conduct was quite consistent with this hypocritical preamble : at dinner, he sat at a distance from Mrs. Guthrie ; expatiated to her husband upon matters of morality ; entering into a high-flown panegyric on the virtues of domestic life, and the comforts of conjugal happiness. In short, had there been any idea of jealousy, his manner would have banished it ; and the mind must have been worse than sceptical, which would refuse its credence to his *Surface* morality. Gracious God ! when the heart once admits guilt as its associate, how every natural motion flies before it ! Surely, surely, here was a scene to reclaim, if it were possible, this remorseless Defendant :—admitted to her father's table, under the shield of hospitality, he saw a young and lovely female, surrounded by her parents, her husband, and her children ; the prop of those parents' age ; the idol of that husband's love ; the anchor of those children's helplessness ; the sacred orb of their domestic circle ; giving their smile its light, and their bliss its being ; robbed of whose beams the little lucid world of their home must become chill, uncheered, and colourless for ever. He saw them happy, he saw them united ; blessed with peace, and purity, and profusion ; throbbing with sympathy and throned in love ; depicting the innocence of infancy and the joys of manhood before the vene-

table eye of age, as if to soften the farewell of one-world by the pure and pictured anticipation of a better. Yet, even there, hid in the very sun-beam of that happiness, the demon of its destined desolation lurked. Just Heaven! of what materials was that heart composed! which could meditate coolly on the murder of such enjoyments; which innocence could not soften, nor peace propitiate, nor hospitality appease; but which, in the very beam and bosom of its benefaction, warmed and wound itself into a mere vigorous venom? Was there no sympathy in the scene? Was there no remorse at the crime? Was there no horror at its consequences?

“ Were honour, virtue, conscience, all exil’d!
Was there no pity, no relenting ruth,
To shew the parents fondling o’er their child,
Then paint the ruin’d pair and their distraction wild!”

BURNS.

No!—no! He was at that instant planning their destruction; and, even within four short days, he deliberately reduced those parents to childlessness, that husband to widowhood, those smiling infants to anticipated orphanage, and that peaceful, hospitable, confiding family, to helpless, hopeless, irremediable ruin!

Upon the first day of the ensuing July, Mr. Guthrie was to dine with the Connaught Bar, at the hotel of Portobello. It is the custom with the Gentlemen of that Association to dine together previous to the Circuit; of course my Client could not have decorously absented himself. Mrs. Guthrie appeared a little feverish, and he requested that, on his retiring, she would compose herself to rest; she promised him she would; and when he departed, somewhat abruptly, to put some letters in the post-office, she exclaimed, “What! John, are you going to leave me thus?” He returned, and she kissed him. They seldom parted, even for any time, without that token of affection. I am thus minute, Gentlemen, that you may see, up to the last moment, what little cause the husband had for suspicion, and how impossible it was for him to foresee a perfidy which nothing short of infatuation could have produced. He proceeded to his companions with no other regret than that necessity, for a moment, forced him from a home, which the smile of affection had never ceased to endear to him. After a day, however, passed, as such a day might have been supposed to pass, in the flow of soul, and the philosophy of pleasure, he returned home to share his happiness with her, without whom no happiness ever had been perfect. Alas! he was never to behold her more! Imagine, if you can, the phrenzy of his astonishment, in being informed by Mrs. Porter, the daughter of the former landlady, that about two hours before, she had attended Mrs. Guthrie to a confectioner’s shop; that a carriage had drawn up at the corner of the street, into which a gentleman, whom she recognized to be a Mr. Sterne, had handed her, and they instantly departed. I must tell you, there is every reason to believe that a female was the confidant of the conspiracy. What a pity, that the object of that guilty confidence had not something of humanity; that, as a female, she did

not feel for the character of her sex ; that, as a mother, she did not mourn over the sorrows of a helpless family ! What pangs might she not have spared ? My Client could bear no more : even at the dead of night he rushed into the street, as if in its own dark hour he could discover guilt's recesses. In vain did he awake the peaceful family of the horror-struck Mrs. Fallon ; in vain, with the parents of the miserable fugitive did he mingle the tears of an impotent distraction ; in vain, a miserable maniac, did he traverse the silent streets of the metropolis, affrighting virtue from its slumber with the spectre of its own ruin.—I will not harrow you with its heart-rending recital.—But imagine you see him, when the day had dawned, returning wretched to his deserted dwelling ; seeing in every chamber a memorial of his loss, and hearing every tongueless object eloquent of his woe : Imagine you see him in the reverie of his grief, trying to persuade himself it was all a vision, and awakened only to the horrid truth by his helpless children asking him for their mother !—Gentlemen, this is not a picture of the fancy ; it literally occurred : there is something less of romance in the reflection, which his children awakened in the mind of their afflicted father ; he ordered that they should be immediately habited in mourning. How rational sometimes are the ravings of insanity ! For all the purposes of maternal life, poor innocents ! they have no mother ; her tongue no more can teach, her hand no more can tend them ; for them there is not “speculation in her eyes ;” to them her life is something worse than death ; as if the awful grave had yawned her forth, she moves before them, shrouded all in sin, the guilty burden of its peaceless sepulchre. Better, far better, their little feet had followed in her funeral, than the hour which taught her value, should reveal her vice :—mourning her loss, they might have blessed her memory ; and shame need not have rolled its fires into the fountain of their sorrow. As soon as his reason became sufficiently collected, Mr. Guthrie pursued the fugitives : he traced them successively to Kildare, to Carlow, to Waterford, Milfordhaven, on through Wales, and finally to Ilfracombe, in Devonshire, where the clue was lost. I am glad that, in this rout and restlessness of their guilt, as the crime they perpetrated was foreign to the soil, they did not make that soil the scene of its habitation. I will not follow them through this joyless journey, nor brand by my record, the unconscious scene of its pollution. But philosophy never taught, the pulpit never enforced, a more imperative morality than the itinerary of that accursed tour promulgates. Oh ! if there be a maid or matron in this island, balancing between the alternative of virtue and of crime, trembling between the hell of the seducer and the adulterer, and the heaven of the parental and the nuptial home, let her pause upon this one out of the many horrors I could depict,—and be converted. I will give you the relation in the very words of my brief ; I cannot improve upon the simplicity of the recital.

“ On the 7th of July they arrived at Milford ; the Captain of the packet dined with them, and was astonished at the magnifi-

cence of her dress," (Poor wretch ! she was decked and adorned for the sacrifice !) " The next day they dined alone. Towards evening, the housemaid, passing near their chamber, heard Mr. Sterne *scolding*, and, apparently *beating* her ! In a short time after, Mrs. Guthrie rushed out of her chamber into the drawing room, and throwing herself in agony upon the sofa, she exclaimed, "*Oh ! what an unhappy wretch I am !—I left my home, where I was happy, too happy, seduced by a man who has deceived me. My poor HUSBAND ! my dear CHILDREN ! Oh ! if they would even let my little WILLIAM live with me !—it would be some consolation to my BROKEN HEART !*"

" Alas ! nor children more can she behold,
Nor friends, nor sacred home."

Well might she lament over her fallen fortunes ! well might she mourn over the memory of days when the sun of heaven seemed to rise but for her happiness ! well might she recall the home she had endeared, the children she had nursed, the hapless husband, of whose life she was the pulse ! But one short week before, this earth could not reveal a lovelier vision ;—Virtue blessed, affection followed, beauty beamed on her ; the light of every eye, the charm of every heart, she moved along in cloudless chastity, cheered by the song of love, and circled by the splendours she created ! Behold her now, the loathsome refuse of an adulterous bed ; festering in the very infection of her crime ; the scoff and scorn of their unmanly, merciless, inhuman author ! But thus it ever is with the votaries of guilt ; the birth of their crime is the death of their enjoyment ; and the wretch who flings his offering on its altar, falls an immediate victim to the flame of his devotion. I am glad it is so ; it is a wise, retributive dispensation ; it bears the stamp of a preventive Providence. I rejoice it is so, in the present instance, first, because this premature infliction must ensure repentance in the wretched sufferer ; and next, because, as this adulterous fiend has rather acted on the suggestions of his nature than his shape, by rebelling against the finest impulse of man, he has made himself an outlaw from the sympathies of humanity.—Why should he expect that charity from you, which he would not spare even to the misfortunes he had inflicted ? For the honour of the form in which he is disguised, I am willing to hope he was so blinded by his vice, that he did not see the full extent of those misfortunes. If he had feelings capable of being touched, it is not to the faded victim of her own weakness, and of his wickedness, that I would direct them. There is nothing in her crime which affrights charity from its commiseration. But, Gentlemen, there is one, over whom pity may mourn,—for he is wretched ; and mourn without a blush,—for he is guiltless. How shall I depict to you the deserted husband ? To every other object in this catalogue of calamity there is some crime attached which checks compassion. But here—Oh ! if ever there was a man amiable, it was that man.—Oh ! if ever there was a husband fond, it was that husband. His hope, his joy, his ambition, was domestic ; his toils

were forgotten in the affections of his home; and amid every adverse variety of fortune, hope pointed to his children,—and he was comforted. By this vile act that hope is blasted, that house is a desert, those children are parentless! In vain do they look to their surviving parent:—his heart is broken, his mind is in ruins, his very form is fading from the earth. He had one consolation, an aged mother, on whose life the remnant of his fortunes hung, and on whose protection of his children his remaining prospects rested; even that is over;—she could not survive his shame, she never raised her head, she became hearsed in his misfortune;—he has followed her funeral. If this be not the climax of human misery, tell me in what does human misery consist? Wife, parent, fortune, prospects, happiness,—all gone at once,—and gone for ever! For my part, when I contemplate this, I do not wonder at the impression it has produced on him; I do not wonder at the faded form, the dejected air, the emaciated countenance, and all the ruinous and mouldering trophies, by which misery has marked its triumph over youth, and health, and happiness? I know, that in the hordes of what is called fashionable life, there is a sect of philosophers, wonderfully patient of their fellow-creatures' sufferings; men too sensible to feel for any one, or too selfish to feel for others. I trust there is not one amongst you who can even hear of such calamities without affliction; or, if there be, I pray that he may never know their import by experience; that having, in the wilderness of this world, but one dear and darling object, without whose participation bliss would be joyless, and in whose sympathies sorrow has found a charm; whose smile has cheered his toil, whose love has pillowed his misfortunes, whose angel-spirit, guiding him through danger, and darkness, and despair, amid the world's frown and the friend's perfidy, was more than friend, and world, and all to him! God forbid, that by a villain's wile, or a villain's wickedness, the solace of that artery torn from his heart-strings, he should be taught how to appreciate the woe of others in the dismal solitude of his own. Oh, no! I feel that I address myself to human beings, who, knowing the value of what the world is worth, are capable of appreciating all that makes it dear to us.

Observe, however,—lest this crime should want aggravation,—observe, I beseech you, the *period* of its accomplishment. My Client was not so young as that the elasticity of his spirit could rebound and bear him above the pressure of the misfortune, nor was he withered by age into a comparative insensibility; but just at that temperate interval of manhood, when passion had ceased to play and reason begins to operate; when love, gratified, left him nothing to desire; and fidelity, long tried, left him nothing to apprehend: he was just, too, at that period of his professional career, when, his patient industry having conquered the ascent, he was able to look around him from the height on which he rested. For this, welcome had been the day of tumult, and the pale midnight lamp succeeding; welcome had been the drudgery of form; welcome the analysis of crime; welcome the sneer of envy, and the

scorn of dulness, and all the spurns which "patient merit of the unworthy takes." For this he had encountered, perhaps, the generous rivalry of genius, perhaps the biting blasts of poverty, perhaps the efforts of that deadly slander, which, coiling round the cradle of his young Ambition, might have sought to crush him in its envenomed foldings.

"Ah! who can tell how hard it is to climb
The steep were Fame's proud temple shines afar?
Ah! who can tell how many a soul sublime
Hath felt the influence of malignant star,
And waged with fortune an eternal war?"

BEATTIE.

Can such an injury as this admit of justification? I think the learned Counsel will concede it cannot. But it may be palliated. Let us see how. Perhaps the Defendant was young and thoughtless; perhaps unmerited prosperity raised him above the pressure of misfortune; and the wild pulse of impetuous passion impelled him to a purpose at which his experience would have shuddered. Quite the contrary. The noon of manhood has almost passed over him; and a youth, spent in the recesses of a debtor's prison, made him familiar with every form of human misery: he saw what misfortune was;—it did not teach him pity: he saw the effects of guilt;—he spurned the admonition. Perhaps, in the solitude of a single life, he had never known the social blessedness of marriage;—he has a wife and children; or, if she be not his wife, she is the victim of his crime, and adds another to the calendar of his seduction. Certain it is, he has little children, who think themselves legitimate; will his advocates defend him, by proclaiming their bastardy? Certain it is, there is a wretched female, his own cousin too, who thinks herself his wife; will they protect him, by proclaiming he has only deceived her into being his prostitute? Perhaps his crime, as in the celebrated case of *Howard*, immortalized by Lord *Erskine*, may have found its origin in parental cruelty; it might perhaps have been, that in their spring of life, when *Fancy* waved her fairy wand around them, till all above was sunshine, and all beneath was flowers; when to their clear and charmed vision this ample world was but a weedless garden, where every tint spoke Nature's loveliness, and every sound breathed Heaven's melody, and every breeze was but embodied fragrance; it might have been that, in this cloudless holiday, Love wove his roseate bondage around them, till their young hearts so grew together, that a separate existence ceased, and life itself became a sweet identity; it might have been that, envious of this Paradise, some worse than demon tore them from each other, to pine for years in absence, and at length to perish in a palliated impiety. Oh! Gentlemen, in such a case, Justice herself, with her uplifted sword, would call on Mercy to preserve the victim. There was no such palliation:—the period of their acquaintance was little more than sufficient for the maturity of their crime; and they dare not libel Love, by shielding under its soft and sacred name, the loathsome revels of an adulterous depravity. It might have been, the husband's cra-

elty left a too easy inroad for seduction. Will they dare assert it? Ah! too well they knew he would not let "the winds of Heaven visit her face too roughly." Monstrous as it is, I have heard indeed, that they mean to rest upon an opposite palliation; I have heard it rumoured, that they mean to rest the wife's fidelity upon the husband's fondness. I know that guilt, in its conception mean; and in its commission tremulous, is, in its exposure, desperate and audacious. I know that, in the fugitive panic of its retreat, it will stop to fling its Parthian poison upon the justice that pursues it. But I do hope, bad and abandoned, and hopeless as their cause is, —I do hope, for the name of human nature, that I have been deceived in the rumours of this unnatural defence. Merciful God! is it in the presence of this venerable Court, is it in the hearing of this virtuous Jury, is it in the zenith of an enlightened age, that I am to be told, because female tenderness was not watched with worse than Spanish vigilance, and harassed with worse than Eastern severity; because the marriage contract is not converted into the curse of incarceration; because woman is allowed the dignity of a human soul, and man does not degrade himself into a human monster; because the vow of endearment is not made the vehicle of deception, and the altar's pledge is not become the passport of a barbarous perjury; and that too in a land of courage and chivalry, where the female form has been held as a patent direct from the Divinity, bearing in its chaste and charmed helplessness the assurance of its strength, and the amulet of its protection; —am I to be told, that the demon adulterer is therefore not only to perpetrate his crimes, but to vindicate himself, through the very virtues he has violated? I cannot believe it; I dismiss the supposition: it is most "monstrous, foul, and unnatural."—Suppose that the Plaintiff pursued a different principle; suppose that his conduct had been the reverse of what it was; suppose that in place of being kind, he had been cruel to this deluded female; that he had been her tyrant, not her protector; her gaoler, not her husband: what then might not have been the defence of this adulterer? Might he not then say, and say with speciousness, "True, I seduced her into crime, but it was to save her from cruelty; true, she is my adulteress, because he was her despot." Happily, Gentlemen, he can say no such thing.—I have heard it said, too, during the ten months of calumny, for which, by every species of legal delay, they have procrastinated this trial, that, next to the impeachment of the husband's tenderness, they mean to rely on what they libel as the levity of their unhappy victim! I know not by what right any man, but above all, a married man, presumes to scrutinize into the conduct of a married female. I know not, Gentlemen, how you would feel, under the consciousness that every coxcomb was at liberty to estimate the warmth, or the coolness, of your wives, by the barometer of his vanity, that he might ascertain precisely the prudence of his invasion on their virtue.—But I do know, that such a defence, coming from such a quarter, would not at all surprise me. Poor—unfortunate—fallen female!

How can she expect mercy from her destroyer? How can she expect that he will revere the character he was careless of preserving? How can she suppose that, after having made her peace the pander to his appetite, he will not make her reputation the victim of his avarice? Such a defence is quite to be expected: knowing him, it will not surprise me; if I know you, it will not avail him.

Having now shown you, that a crime, almost unprecedented in this country, is clothed in every aggravation, and robbed of every palliative, it is natural you should enquire, what was the motive for its commission? What do you think it was?—Providentially—miraculously, I should have said, for you never could have divined—the Defendant has himself disclosed it. What do you think it was, Gentlemen? *Ambition!* But a few days before his criminality, in answer to a friend, who rebuked him for the almost princely expenditure of his habits, "Oh," says he, "never mind; Sterne must do something, by which Sterne may be *known!*" I had heard, indeed, that ambition was a vice,—but then a vice, so equivocal, it verged on virtue; that it was the aspiration of a spirit, sometimes perhaps appalling, always magnificent; that though its grasp might be fate, and its flight might be famine, still it reposed on earth's pinnacle, and played in heaven's lightnings; that though it might fall in ruins, it arose in fire, and was withal so splendid, that even the horrors of that fall became immersed and mitigated in the beauties of that aberration! But here is an ambition!—base, and barbarous, and illegitimate; with all the grossness of the vice, with none of the grandeur of the virtue; a mean, muffled, dastard incendiary, who, in the silence of sleep, and in the shades of midnight, steals his Ephesian torch into the fane, which it was virtue to adore, and worse than sacrilege to have violated!

Gentlemen, my part is done; yours is about to commence. You have heard this crime—its origin, its progress, its aggravations, its novelty among us. Go and tell your children and your country, whether or not it is to be made a precedent. Oh, how awful is your responsibility! I do not doubt that you will discharge yourselves of it as becomes your characters. I am sure, indeed, that you will mourn with me over the almost solitary defect in our otherwise matchless system of jurisprudence, which leaves the perpetrators of such an injury as this, subject to no amercement but that of money. I think you will lament the failure of the great *Cicero* of our age, to bring such an offence within the cognizance of a criminal jurisdiction: it was a subject suited to his legislative mind, worthy of his feeling heart, worthy of his immortal eloquence. I cannot, my Lord, even remotely allude to Lord *Erskine*, without gratifying myself by saying of him, that, by the rare union of all that was learned in law, with all that was lucid in eloquence; by the singular combination of all that was pure in morals, with all that was profound in wisdom; he has stamped upon every action of his life the blended authority of a great mind, and an unquestionable conviction. I think, Gentlemen, you will regret the failure of such a man in such an object. The merciless

murderer may have manliness to plead ; the highway robber may have want to palliate ; yet they both are objects of criminal infliction : but the murderer of conjugal bliss, who commits his crime in a secrecy ;—the robber of domestic joys, whose very wealth, as in this case, may be his instrument ;—he is suffered to calculate on the infernal fame which a superfluous expenditure may purchase. The law, however, is so : and we must only adopt the remedy it affords us. In your adjudication of that remedy, I do not ask too much, when I ask the full extent of your capability : how poor, even so, is the wretched remuneration for an injury which nothing can repair,—for a loss which nothing can alleviate ? Do you think that a mine could recompense my Client for the forfeiture of her who was dearer than life to him ?

“ Oh, had she been but true,
Though Heaven had made him such another world,
Of one entire and perfect chrysolite,
He'd not exchange her for it !”

I put it to any of you, what would you take to stand in his situation ? What would you take to have your prospects blasted, your profession despoiled, your peace ruined, your bed profaned, your parents heart-broken, your children parentless ? Believe me, Gentlemen, if it were not for those children, he would not come here to-day to seek such remuneration ; if it were not that, by your verdict, you may prevent those little innocent defrauded wretches from wandering beggars, as well as orphans, on the face of this earth. Oh, I know I need not ask this verdict from your mercy ; I need not extort it from your compassion ; I will receive it from your justice, I do conjure you, not as fathers, but as husbands ;—not as husbands, but as citizens ;—not as citizens, but as men ;—not as men, but as Christians :—by all your obligations, public, private, moral, and religious ; by the hearth profaned ; by the home desolated ; by the canons of the living God foully spurned ;—save, oh ! save your fire-sides from the contagion, your country from the crime, and perhaps thousands, yet unborn, from the shame, and sin, and sorrow of this example !

The Jury found a Verdict for the Plaintiff,—Damages, *FIVE THOUSAND POUNDS.*

THE END.

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SPEECH

AT A PUBLIC DINNER, GIVEN BY THE CATHOLICS OF SLIGO,
TO MR. FINLAY, THE BARRISTER,

AUGUST 5, 1813.

WHEN Mr. FINLAY had concluded his Address to the Meeting, Mr. PHILLIPS rose, and spoke as follows:—

I think, Sir, you will agree with me, that the most experienced speaker might justly tremble in addressing you, after the display you have just witnessed. What must I then feel, who never before addressed a public audience? However, it would be an unworthy affectation in me, if I attempted to conceal from you the emotions with which I am agitated by this kindness.

The exaggerated estimate, which other countries have made, of the few services so young a man could render, has, I trust, inspired me with the sentiments it ought; but here, I do confess to you, I feel no ordinary sensation. Here, where from every object springs some new association, and the loveliest visions, mellowed as they are by time, rise painted on the eye of memory—here, where the light of heaven first blessed my infant view, and Nature breathed into my infant heart that ardour for my country, which nothing but death can chill—here, where the scenes of my childhood remind me how innocent I was, and the graves of my fathers admonish me how pure I should continue—here, standing as I do, among my fairest, fondest, earliest sympathies,—such a welcome, operating not merely as an affectionate tribute, but a moral testimony, does indeed quite oppress and overwhelm me.

Oh! believe me, warm is the heart that feels, and willing is the tongue that speaks; and still I cannot, by shaping it to my rude and inexpressive phrase, shock the sensibility of a gratitude too full to be suppressed, and yet too eloquent for language.

If any circumstance could add to the pleasure of this day, it is that which I feel in introducing to the friends of my youth the friend of my adoption (*Mr. Curran*); though perhaps I am committing one of our imputed blunders, when I speak of introducing one, whose services have already rendered him familiar to every friend of Ireland—a man who, conquering every disadvantage, and spurning every difficulty, has poured around our misfortunes the splendour of an intellect, that at once irradiates and consumes them. For the services he has rendered to his country, from my heart, I thank him; and for myself, I offer him a personal, it may be a selfish, tribute for saving me, by his presence this night, from any attempt at his panegyric. Indeed, Gentlemen, you can have but little idea of what he has to endure, who in these times advoc

cates your cause. Every calumny which has been heaped on you comes redoubled on us. We are called traitors, because we wish to obtain for the crown an unanimous people—we are called apostates, because we will not persecute Christianity—and we are branded as separatists, for our endeavours to annihilate the fetters that, instead of binding, clog the connexion. To these may be added, the frowns of power, the envy of dullness, the mean malice of exposed self-interest, and it may be, in despite of all natural affection, even the discountenance of kindred. Well, be it so :

For thee, fair Freedom, welcome all the past !
For thee, my Country, welcome e'en the last !

I am not ashamed to confess to you, that there was a day when I was as bigotted as the blackest ; but I thank that Being, who gifted me with a mind not quite impervious to conviction, and I thank you, who afforded such dawning testimonies of my error : I saw you enduring with patience the most unmerited assaults, bowing before the insults of revived anniversaries ; in private life, exemplary—in public, unoffending—in the hour of peace exerting your loyalty, and in the hour of danger proving it ; even when the triumphant enemy penetrated into the very heart of our country, I saw the banner of your allegiance bearing refutation on your slanderers. No wonder, then, that I seized my prejudices, and with a blush burned them on the altar of my country !

I rejoice that that motley compound of oaths and penalties, the Security Bill, has been scouted by all parties : the people of Ireland have not been suffering centuries of death and degradation for the purpose of putting on at least a pie-bald garment of rags and tinsel, which could only add to their wretchedness the ridicule of ostentation. That prodigious coalition, the memorable committees, may put it into their heads, that you will be contented with huckstering up half a dozen peers and pensioners for the political Rialto—or allow your prelates to be dragged, with a halter about their necks, to the vulgar scrutiny of every village tyrant—and for what ? Why, in order to enrich a few political traders, and still through some state-alembic the miserable rinsings of an ignorant, a decaying, and a degenerate aristocracy.

If there were no other objection to that bill, the interference of the church with your state was sufficient to condemn it. We have leeches enow feeding on the bloated tumours of a morbid monopoly—we have too much of the mixture—Christ does not warrant it : it is, at best, but a foul and adulterous connexion, polluting the purity of heaven with the abominations of earth, and hanging the profaneness of pretended piety around the cross of an insulted Saviour ! This union of church and state only converts good Christians into bad statesmen, and political knaves into pretended christians. Religion ought not, in the words of its founder, to be “ led into temptation : ” the hand that holds the chalice should be pure, and the priests of her temple should be spotless as the vestments of her ministry. Rank only degrades, wealth only im-

variables, and ornaments only disfigure her; her sacred porch becomes the more sublime from its simplicity, and should be seated on an eminence, inaccessible to human passions---even like the summit of some Alpine wonder, for ever crowned with the sunshine of the firmament, which the vain and feverish tempest of human infirmities breaks through, harmless, and unheeded.

Better, by far, that the days of ancient barbarism should revive---better that your religion should again take refuge among the fastnesses of the mountains, and the deformities of the cavern---better that the rack of murderous bigotry should again terminate the miseries of your priesthood, and that the gate of freedom should be only open to them through the gate of martyrdom, than that they should gild their missals with the wages of a court, and expect their ecclesiastical eminences, not from superior piety, but comparative prostitution. If ever there was an opportunity for England to do justice with dignity, it is the present. Now, when Irish blood has crimsoned the cross upon her naval flag, and an Irish hero strikes the harp to victory, upon the summit of the Pyrenees. England! England! do not hesitate! This hour of triumph may be but an hour of trial; the caprices of fortune are not to be trusted; one season more may show the splendid panorama of European vassalage, arrayed by your ruthless enemy, and glittering beneath the ruins of another capital---perhaps of London.

A few months since, Moscow stood as splendid and secure; fair rose the moor upon the patriarchal city---the empress of her nation, the queen of commerce, the sanctuary of strangers; her thousand spires pointed towards the heavens, and her domes of gold enriched the sun-beams. The tyrant came---he marked her for his residence; and, as if his very glance was destiny, with all her pride, and pomp, and happiness, she withered from the world. Merciful God! if this embroidered butcher of the human race, heading his largest legions, were to land in IRELAND, I am sure you would oppose him, in the language of our young enthusiast*, "with a torch in one hand, and a sword in the other." But I do ask, upon what principle could the advocates for your expulsion solicit your assistance? Would they say, "Recover our ascendancy, and we will repay you with bondage?"

It has been said, that there is a faction in Ireland, who would join this monster;---a French party, it has been said, even by him who poured over his country's ruins the elixir of his immortality. No doubt it escaped that venerable man, in one of those moments when God infatuates the wisest, as if to convince them they were human. But I care not on what authority it comes: there is no French party; but I will tell Mr. Grattan what there is---there is an Irish party; and would it not be strange, if there were not men who cannot bear to see their country taunted with the name of a constitution she has not?---Men, who will be content with no con-

* Mr. Emmett, a young man of great attainment and eminent talent. He was executed for High Treason, in 1802, and used the memorable words, quoted by Mr. Phillips, in his eloquent defence on his trial.

nexion, without an equality of benefits, but who would die in defence of the connexion, if she had them?—Men, who sooner than see this lovely island polluted with the footsteps of a slave, would wish the ocean-wave to become its sepulchre, and that the orb of heaven forgot where we existed? ~~FF~~

It has been said, too (and when we were to be calumniated, what has *not* been said?) that Irishmen are neither fit for freedom, nor grateful for favours. In the first place, I deny that to be a favour which is a right: and in the next place, Irishmen were never tried. Try them, and my life on it, they *will* be found grateful. I think I know my countrymen:—they cannot help being grateful for a benefit; and there is no country upon earth, where one would be conferred with more disinterested benevolence; they are emphatically the school-boys of the heart—a people of sympathy; their acts spring instinctively from their passions; by nature ardent—by instinct brave—by inheritance generous: the children of impulse, they cannot avoid their virtues; and to be other than noble, they must not only be unnatural, but unnational.

Enter the hovel of the Irish peasant. I do not say you will find the frugality of the Scotch, the comfort of the English, or the trifling and fantastic decoration of the French cottager; but I do say, that within those wretched garrisons of mud and misery, you will find sensibility the most affecting, politeness the most natural, hospitality the most grateful, merit the most unconscious; their look is eloquence, their smile is love, their retort is wit, their remark is wisdom—not wisdom borrowed from the dead, but that with which nature has herself inspired them—an acute observance of the passing scene, and a keen insight into the motives of its agents. Try to deceive them, and see with what shrewdness they will detect; try to outwit them, and see with what humour they will elude; attack them with argument, and you will stand amazed at the strength of their expressions, the rapidity of their ideas, and the energy of their gesture: in short, God seems to have formed our people like our island; he has thrown round the one, its wild, magnificent, decorated rudeness; he has infused into the other, the simplicity of virtue and the seeds of genius. He says audibly to us, “Give them cultivation!”

This is the way in which I have always received your question;—not as a party, or a sectarian, or a Catholic, but as an Irish question. Is it possible that any man can seriously think the paralyzing of five millions of such a people as I have described, can be a benefit to the empire? Is there any man who deserves the name not of a statesman, but of a rational being, who can think it politic to rob such a multitude of all the energies of an honourable ambition? Why has Protestant Ireland shot over the empire those rays of genius, and those thunderbolts of war, which have at once embellished and preserved it? I speak not of a former era; I refer not, for instance, to that splendid day, when our Burkes, our Barrys, and our Goldsmiths, exiled by nature, went from their

native shore, and, even on an envious soil, wreathed the shamrock round the brow of Painting, Poetry, and Eloquence! But now--- even now whilst I speak, who leads the British Senate? A Protestant Irishman! Who gutties the British arms? A Protestant Irishman! And why is Catholic Ireland, with her quintuplé population, stationary and silent? Stranger! open the penal statutes, and weep tears of blood over the reason! Do not ask the bigotted and pampered renegade, who has an interest in deceiving you; but come, come yourself, and see this unhappy people! see the Irishman an alien in Ireland; in rags and wretchedness--- staining the sweetest scenery the eye ever reposed on---persecuted by the extorting middle-man of an absentee landlord, and plundered by the lay-proctor of an absentee incumbent---bearing through life but insults and injustice, and bereaved even of any hope in death by the heart-rending reflection that he must leave his children to bear, like their father, an abominable bondage! Is it the fact? Let any man that doubts it walk out into your streets, and see the consequence of such a system. See it sending crowds of young apprentices to the prison---sent by their unfortunate parents in despair to learn the rudiments, and lisp the alphabet of deceit. For my part, I have never seen one of those wretched assemblages collected for the purposes of play and profligacy, without feeling within me a melancholy emotion. Perhaps, I have thought, within that neglected circle of little triflers, who seem to have been born in caprice, and bred in orphanage, there may exist some mind formed of the finest mould, and wrought for immortality; a soul swelling with the energies, and stamped with the patent of the Deity, which might bless, adorn, immortalize, and ennoble empires; some *Cincinnatus*, in whose breast the destiny of a nation may be dormant; some *Milton*, "pregnant with celestial fire"; some *Curran*, who, when thrones were crumbled, and dynasties forgotten, might stand the land-mark of his country's genius, rearing himself amid regal ruins and national dissolutions, a mental pyramid in the solitude of time, beneath whose shade things moulder, and round whose brow eternity must play! Even in such a circle, the young *Demosthenes* might have once been found, and *Homer*, the grace and glory of his age, have sung neglected! Other states have seen such prodigies, and why not Ireland? Who is there will say, Nature has stamped a degrading brand upon her intellect? Oh! my countrymen, let us hope, that under better auspices, and sounder policies, the ignorance that thinks so may meet its refutation. Let us turn from the blight and view of this wintry day, to the fond anticipation of a happier period, when our prostrate land will stand erect among the nations; her brow blooming with the wreath of science, and her paths strewn with the offerings of art; the breath of heaven blessing her flag, the extremities of earth acknowledging her name; her fields waving with the fruits of agriculture, her ports alive with the varieties of commerce, and her temples rich with unrestricted piety: above all, her mountains crowned with the wild wreath of freedom; and her valleys vocal with the

ecstasies of peace! Such is the ambition of the Irish patriot---such are the views for which we are calumniated! Oh, divine ambition! Oh, delightful calumny! Happy he, who shall see thee accomplished! Happier he, who, through every peril, toils for thy attainment! Proceed; friend of Ireland, and partaker of her wrongs, proceed undaunted to thy virtuous achievement! Though fortune may not gild, nor power ennoble thee, thou wilt be rich in the love, and titled by the blessings of thy country; thy path will be illumined by the public eye, thy labours enlightened by the public gratitude! The good will give thee their benediction; the great, their applause; the poor, all they have---their prayers! And, perhaps, when the splendid slave and he shall go to their accounts together, the Great Spirit may hear that prayer, though it rise from a poor man and a Catholic.

SPEECH

AT THE CATHOLIC AGGREGATE MEETING, DUBLIN,

JUNE 11, 1814.

Mr. PHILLIPS being received with enthusiastic plaudits, addressed the Meeting as follows:

It is with a heart at once bursting with gratitude, and bleeding with regret, that I receive this enthusiastic testimony of your affection; to me, it is a great exaggeration; from you, it is an instance of the most generous credulity. What! and has not time effaced, and disappointment withered, or treachery destroyed, this glowing, this national sensibility? Are you still determined to trust and to be betrayed---to believe and to be deceived---to love and to be deserted! May I not be one of the myriads who in the name of patriotism, and for the purposes of plunder, have swindled away your heart, that they might gamble with it afterwards at the political hazard-table! May I, not pretend a youth of virtue, that I may purchase with its fame an age of apostacy!--Cast your view round the political horizon. Can you discover no one whose eye once gazed on glory, and whose voice once raved for liberty, no one, who, like me, once glowed with the energies of an assumed sincerity, and saw, or seemed to see, no God but country, now toiling in the drudgeries of oppression, and shrouded in the pall of an official miscreancy! Oh! my country---duped, desolate, degraded---but still my Country---hear every precept---trust no man's professions. Ardent as I am, honest through every fibre as I feel myself---I repel your confidence, though perhaps unnecessarily, for I am humble, and below corruption; I am valueless, and not worth temptation; I am poor, and cannot afford to part with all I have---my character!--Such are my sensations now---what they may be hereafter, I pretend not; but

should I ever hazard descending, into the sycophant or slave, I beseech thee, Heaven, that the first hour of crime may be the last of life, and that the worm may batten on the bloom of my youth, before my friends, if I have one, shall have cause to curse the mention of my memory.

Little did I imagine, on the last day of my addressing you, that an occasion should so soon arise to call us again together. It has, however, arisen, and it is a melancholy occasion; but melancholy as it is, it must be met, and met with the fortitude of men struggling in the sacred cause of liberty. I do not allude to the proclamation of your Board; of that Board I never was a member; so I can speak impartially. It contained much talent, much learning, many virtues---it was valuable on that account---but it was doubly valuable, as being a vehicle for the individual sentiments of *any* Catholic, and for the aggregate sentiments of *every* Catholic. Those who seceded from it, do not remember that individually they are nothing---that, as a body, they are every thing---that it is not this titled slave, or that wealthy sycophant, whom the bigots dread, or the parliament respects! No; it is the body---the numbers---the rank---the property---the perseverance---the genius---the education---but, above all, the union of the Catholics! I do not defend every measure of the Board; but is it a reason, if a general makes one mistake, that his followers are to desert him, especially when the contest is for all that is dear or dignified? No doubt the Board had its errors;---show me the human institution which has not. Let the man, then, who accuses it, prove himself above humanity, before he makes the accusation. I am sorry for its suppression---the act did not surprise me; but the manner did; and the time chosen did most sensibly. I did not expect it on the very hour when the news of universal peace was first promulgated, and on the anniversary of the only British Monarch's birth-day who ever gave a boon to our distracted country.

I have digressed:---I shall confine myself exclusively to the resolution before us. It is a task of pain---it may be a task of peril---but neither pain nor peril shall make me shrink for a moment from the avowal of even the melancholy candour which I owe you. It may be presumptuous in one so young; it certainly is distressing to one so Irish, to dissent from GRATTAN: I do it now, however,---I do it---with all my soul; and I do it with the less reluctance, because the error he has committed is not yet irreparable. Let no man attempt to rant me down with his declamatory panegyric. I do not forget his services---I can never forget, that if it was not for him, we should not have had a constitution; and that, if all were like him, we should still have a country. I do not forget how, associated with that man [pointing to Mr. CURRAN], when the screech-owl of intolerance was yelling, and the night of bigotry was brooding on the land, he came forth with the heart of a hero and the tongue of an angel, till, at his bidding, the spectre vanished; the colour of our fields revived; and Ireland,

even poor Ireland!--glittered for a moment in the light of his eloquence; and gloried in the prowess of his victory. Do not you remember, in 1782, how his heart toiled, and his eyes flamed, and his tongue thundered, till our whole horizon became enriched with his splendour, and every peasant on our mountains shouted LIBERTY? Do not you remember, in that dreadful death-day of our hopes, when power wielded the thunder-bolt to affright, and treason emptied the treasury to corrupt, how, with the ardour of youth, and the wisdom of age, he rushed like Chatham from the couch of sickness,--awing, animating, exhorting, convincing,--till our very sorrows were mitigated by the sweetness of his advocacy, and even the extent of our loss was for a season forgotten in the splendours of the conflagration? No, Grattan! we never can forget that those things were, and "were most dear to us." We love you much, but it is because you taught us to love Ireland more. We give you our esteem--we give you our respect--we give you our love, our gratitude our admiration:--we will give you any thing, and every thing--except our Country. You may be assured, that it is with much timidity I dissent from such a man. What are my reasons?--You shall have them most explicitly:--but I shall first state the reasons which he has given for the postponement of your question. I shall do so out of respect to him; if, indeed, it can be called respect, to quote those sentiments which, on their very mention, must excite your ridicule. Mr. Grattan presented your petition, and on moving that it should lie, where so many preceding ones have lain--upon the table, he declared it to be his intention to move for no discussion. Here, in the first place, I think Mr. Grattan wrong. He got that petition, if not on the express, at least on the implied condition, of having it discussed this session. There was not a man at the Aggregate Meeting, at which it was voted, who did not expect a discussion, and that immediately. Mr. Grattan, however, was angry at "suggestions." I do not think Mr. Grattan had any right to be angry at receiving that which every English member was ready to receive from any English co-factor. Mr. Grattan was also angry at our "violence." Neither do I think he had any right to be angry at what he calls our violence. There was a day when Mr. Grattan would not have spurned our suggestions; and there was also a day when he was as violent as any of us. Mr. Grattan, however, has fulfilled his own prophecy; that an "oak of the forest should not be transplanted at fifty;" and our fears, that an Irish native will soon lose its "raciness" in an English atmosphere. "It is not my intention," says he, "to move a discussion for the present." Why? "Great obstacles have been removed,"--that's his first reason: "I am," says he, "however still ardent." Ardent! why, it strikes me to be a very novel kind of ardour, which toils on till it has removed the impediments, and then pauses at the prospect of its victory! "And I am of opinion," he continues, "that any immediate discussion would be the height of precipitation." That is, he has removed the impediments, and, with the very goal in his view, he pauses in his path, declaring that he is ardent;

and, after centuries of suffering; when you protest for a discussion, he protests that he considers you monstrously precipitate! Now, is not that a fair translation? Why, really, if we did not know Mr. Grat-tan, one would almost imagine he was quoting from the Ministry. With the exception of one or two plain, blunt, downright, sturdy, unblushing bigots, who opposed you because you were Christians, and declared they did so, this was the cant of every hypocrite who affected liberality. "Oh! I declare," say they, "they may not be cannibals, though they ate *Catholics*, and I would be very glad to vote for them, but this is no time." "Oh, no," says Bragge Bathurst, "it's no time." "What, in time of war! why it looks like bullying us." Very well: next comes the peace, and then what say our friends the Opposition? "Oh! I declare peace is no time; it looks so like persuading us." For my part, serious as the subject is, it affects me with the very same ridicule with which I see I have so unconsciously affected you. I will tell you a story of which it reminds me: you may think the story ludicrous; it certainly is appropriate. It is told of the celebrated Charles Fox. Far be it from me, however, to mention that name with levity. As he was a great man, I respect him; as he was a good man, I love him. He had as wise a head as ever paused to deliberate; he had as sweet a tongue as ever gave the words of wisdom utterance; and he had a heart, so stamped with the immediate patent of the Divinity, that its very errors might be traced to the excess of its benevolence. I had almost forgot the story. Fox was a man of genius; of course he was poor. Poverty is a reproach to no man--to such a man as Fox; I think it was a pride: for if he chose to traffic with his principles, if he chose to gamble with his conscience, how easily might he have been rich? [*Great Applause*]. I guessed your answer. It would be hard indeed, if you did not believe me, that in England, talents might find a purchaser, who have seen, in Ireland, how easily a blockhead may swindle himself into preferment. Juvenal says, that the greatest misfortune attendant upon poverty is ridicule. Fox found out a greater debt! The Jews called on him for payment. "Ah, my dear friends," says Fox--"I admit the principle---I owe you money---but what time is this, when I am going upon business?" Just so our friends admit the principle---they owe you Emancipation; but war's no time. Well, the Jews departed just as you did---they returned to the charge. "What!" cries Fox, "is this a time, when I am engaged on an appointment?" What! say our friends---is this a time when all the world is at peace? The Jews departed; but, the end of it was, Fox, with his Secretary, Mr. Hare, who was as much in debt as he was, shut themselves up in garrison. The Jews used to surround his habitation by day-light, and poor Fox regularly put his head out of the window with this question: "Gentlemen, are you Fox-hunting, or Hare-hunting this morning?" His pleasantry mitigated the very Jews. "Well, well, Fox---now, you have always admitted the principle, but always protested against the time---we will give you your own time; only just fix some final day for our repayment." "Ah, my dear Moses," replied Fox, "now

this is friendly; I take you at your word; I will fix a day, and as it is to be a *fixed* day, what would you think of the day of Judgment?" "That will be too busy a day with us." "Well, well, in order to accommodate all parties, let us settle it the day after." Thus it is between the war inexperience of Bragge Bathurst, and the peace inexperience of Mr. Grattan, you may expect your Bimadipition Bill pretty much about the time that Fox appointed for the payment of his creditors. Mr. Grattan, however, though he would not take your suggestions, took the suggestions of his friends. "I have consulted," says he, "my Right Honourable Friends!" "Oh, all 'Friends'!"—all "Right Honourable!" Now, this it is, to trust the interest of a people into the hands of a party. You must know, in Parliamentary parlance, these Right Honourable Friends mean a party. There is no man so contemptible as not to have a party. The Minister has his party. The opposition have their party. The *Saints*,—for there are some Saints in the House of Commons—*lucis a non lucendo*—the Saints have their party—every one has his party! I had forgotten—Ireland has no party! Such are the reasons, if reasons they can be called, which Mr. Grattan has given for the postponement of your discussion; and I sincerely say, if they had come from any other man, I would not have condescended to have given them an answer. He is reported to have said, indeed, that he had others reserved, which he did not think it necessary to detail. If those which he reserved were like those which he detailed, I do not dispute the prudence of his keeping them to himself; but as we have not the gift of prophecy, it is not easy for us to answer them until he still deign to give them to his constituents.

Having dealt thus freely with the alleged reasons for the postponement, it is quite natural that you should require what my reasons are for urging the discussion. I will give them:—They are at once so simple and explicit, that it is quite impossible that the keenest capacity amongst you should not comprehend them. I would urge the discussion, because discussion has always been of use to you—because, upon discussion, you have gained converts out of doors—and because, upon every discussion within the doors of Parliament, your enemies have diminished, and your friends increased. Now, is not that a strong reason for continuing your discussions? This may be assertion. Aye, but I will prove it. In order to convince you of the argument, as referring to the country, I need but refer to the state of the public mind now upon the subject, and that which existed in the memory of the youngest. I myself remember the blackest and the basest universal declamations against your creed, and the vilest anathemas against any man who would grant you an iota. Now every man affects to be liberal, and the only question with some, is about the time of the concession—with others, about the extent of the concessions—with many, as to the nature of the securities which you should afford; whilst a great multitude, in which I am proud to class myself, think that your emancipation should be immediate, universal, and unrestricted. Such has been

the progress of the human mind out of doors, in consequence of the powerful eloquence, argument, and policy, elicited by those discussions which your friends now have, for the first time, found out, would be precipitate. Now let us see what has been produced within the doors of Parliament? For twenty years you were silent, and, of course, you were neglected. The consequence was most natural. Why should Parliament grant privileges to a people who did not think those privileges worth the solicitation? Then rose your *Agitators*, as they are called by those bigots who are trembling at the effect of their arguments on the community, and who, of course, take every opportunity of calumniating them. Ever since that your cause has been advancing. Take the numerical proportions in the House of Commons on each subsequent discussion. In 1805, the first time your question was discussed in the Imperial legislature, and it was then aided by the powerful eloquence of Fox,---there was a majority against even taking your claims into consideration, of no less a number than 212. It was an appalling omen. In 1808, however, on the next discussion, that majority was diminished to 163. In 1810, it decreased to 104; in 1811, it dwindled to 64; and, at length, in 1812, on the motion of Mr. Canning,---and it is not a little remarkable, that the first successful exertion was made in your favour by an English member,---your enemies fled the field, and you had the triumphant majority to support you of 129. Now is not this demonstration? What becomes now of those who say discussion has not been of use to you? But I need not have resorted to the arithmetical calculation. Discussion must be useful when the principle is equitable. Men become ashamed of combating with axioms. Truth is omnipotent, and must prevail; it forces its way with the fire and the precision of the morning sun-beam. Vapours may surround, prejudices may impede the infancy of its progress; but the very resistance that would check, only condenses and concentrates it, until at length it goes forth in the fulness of its meridian, all life, and light, and lustre---the whole amphitheatre of Nature glowing in its smile, and her minutest objects gilt and glittering in the grandeur of its eternity. You lived for centuries on the vegetable diet and eloquent silence of this Pythagorean policy; and the consequence was, when you thought yourselves mightily dignified, and mightily interesting, the whole world was laughing at your philosophy, and sending its aliens to take possession of your birth-right.

"For foreign eyes bloom bright Ambition's morn;

"To foreign hands profanement holds her hara;

"Round foreign brows is Glory's garlands bound;

"In foreign ears does Honour's claron sound;

"Alone the Sons of Erin meedless stand,

"The only Aliens---in their native Land."

I have given you a good reason for pressing your discussion, by having shown you that discussion has always gained you proselytes. But is it the time? says Mr. Greville. Yes, Sir, it is the time---peculiarly the time; unless, indeed, the great question of Irish liberty is to be reserved, as a weapon to the hands of a party to

wield against the weakness of the British minister. Now, I say, while England is in power---now is the peculiar time. Now, England, I challenge you to show, whether the boons you conceded have been the result of your love, or wrung from your necessities. Now all her fears are gone---all her hopes are gratified---Europe is free---the Bourbon, the exile of her hospitality, is restored. Napoleon is no longer lord of the ascendant---her Catholic alliances have refuted the foul aspersions on your faith---Catholic Ireland has upreared her banner on the field of blood, and nobly proved how she "kept faith with heretics"---the Sovereign Pontiff, an ally and a friend, has at last returned to his Christian capital, wreathed with the trophies of a triumphant martyrdom---you yourselves have chased away the phantom of a foreign influence; and, from the priest to the peasant, there is not a Catholic in the land who is not trampling on the rescript of Italian audacity. Merciful God! if this be not the time, can we ever hope to find one more expedient? But, oh! there will never be a time with Bigotry!---she has no head, and cannot think---she has no heart, and cannot feel---when she moves, it is in wrath---when she pauses, it is amid ruin---her prayers are curses---her God is a demon---her communion is death---her vengeance is eternity---her decalogue is written in the blood of her victims; and if she stoops for a moment from her infernal flight, it is upon some kindred rock, to whet her vulture-fang for keener rapine, and replume her wing for a more sanguinary desolation! (*Loud bursts of enthusiastic applause.*)

I appeal from this infernal, grave-stalled fury---I appeal to the sense, to the good policy, to the gratitude of England; and I make my appeal, peculiarly at this moment, when the Illustrious Potentates of Europe are met together in the British capital, to commemorate the great festival of Universal Peace and Universal Emancipation. Let me hope, that, by our deliverance, the great work will be consummated in their presence; or, should it not, the warriors of the North will at least carry to their homes the story of our fortitude, and our unmerited misfortunes. But (*turning to Mr. CURRAN, who appeared much agitated*)---to borrow a phrase from that paragon of Irishmen---No, Curran, do not be afraid that I shall depreciate you by my adoration! I cannot rise into the region where you soar; and, even if I could, the fate of Icarus forewarns me not to touch upon the orb whose refulgence would consume me. Contemplating such a man, to be just, I must be silent; for paenegyric is poverty, and eloquence is wordless. In his phrases, I shall endeavour to "redeem myself from the infidelity of this despair." "I will try to hope, that when the whole world is rejoicing in peace---when the rocks of Norway and the swamps of Holland are elate with liberty; the poor country, through the prowess of whose hero this event has been achieved, will not be suffered to sit down in the solitude of her sorrows! Forbid it, policy! forbid it, justice! forbid it, gratitude! forbid it, God!" I invoke the genius of the British Constitution---I invoke the angel of the Christian Gospel---I invoke the bright form of that blessed Liberty, which is walking about among

the nations of the universe, not to forget the land where saints have worshipped, sages loved, and heroes fought for her; where the hand of beauty will weave her garland; where the heart of valour will bend before her shrine! Oh! it is a great, a good, a grand, a glorious consummation! It is worthy of concessions---you will make them. I would rejoice to see you conciliate even the ungenerous prejudices of the English People. But there is one sacrifice you should never make:---Oh! do not, for any temporal boon, betray the great principles which are to purchase you an eternity. Here, from your sanctuary---here, from the endangered altars of your faith, in the name of that God, for the freedom, of whose worship we are so nobly struggling, let no unholy hand profane the sacred ark of your religion! For my part, I approach your church---the ancient church of Ireland, with the mingled emotions of a patriot and a Christian. Whilst it awfully forewarns me of a better world, it proudly reminds me of a better day; and rises on my vision like some majestic monument amid the desert of antiquity, just in its proportions, sublime in its associations, and only the more magnificent from the ruins by which it is surrounded. Oh, do not sacrifice it!

PETITION

REFERRED TO IN THE PRECEDING SPEECH,

DRAWN BY MR. PHILLIPS,

AT THE REQUEST OF

THE ROMAN CATHOLICS OF IRELAND.

To the Honourable the COMMONS of the United Kingdom of Great Britain and Ireland, in Parliament assembled:

The humble Petition of the Roman Catholics of Ireland, whose names are undersigned on behalf of themselves, and others, professing the Roman Catholic Religion,

SHewETH,

THAT we the Roman Catholic People of Ireland, again approach the legislature with a statement of the grievances under which we labour, and of which we most respectfully, but at the same time most firmly, solicit the effectual redress. Our wrongs are so notorious, and so numerous, that their minute detail is quite unnecessary, and would indeed be impossible, were it deemed expedient. Ages of persecution on the one hand, and of patience on the other, sufficiently attest our sufferings and our submission. Privations have been answered only by petition, indignities by remonstrance, injuries by forgiveness. It has been a misfortune to

have suffered for the sake of our religion; but it has also been a pride to have borne the best testimony to the purity of our doctrine, by the meekness of our endurance.

We have sustained the power which spurred us; we have nerved the arm which smote us; we have lavished our strength, our talent, and our treasures, and buoyed up, on the prodigal effusion of our young blood, the triumphant Ark of BRITISH LIBERTY.

We approach, then, with confidence, an enlightened legislature, in the name of Nature, we ask our rights as men; in the name of the Constitution, we ask our privileges as subjects; in the name of God, we ask the sacred protection of unpersecuted piety as Christians.

Are securities required of us? We offer them---the best securities a throne can have---the affections of a people. We offer faith that was never violated---hearts that were never corrupted---valour that never crouched. Every hour of peril has proved our allegiance, and every field of Europe exhibits its example.

We abjure all temporal authority, except that of our Sovereign; we acknowledge no civil pre-eminence, save that of our constitution; and, for our lavish and voluntary expenditure, we only ask a reciprocity of benefits.

Separating, as we do, our civil rights from our spiritual duties, we humbly desire that they may not be confounded. We "render unto Cæsar the things that are Cæsar's," but we must also "render unto God the things that are God's." Our church could not descend to claim a state authority, nor do we ask for it a state aggrandisement: its hopes, its powers, and its pretensions, are of another world; and, when we raise our hands most humbly to the State, our prayer is not, that the fetters may be transferred to the hands which are raised for us to heaven. We would not erect a splendid shrine, even to liberty, on the ruins of the temple.

In behalf, then, of five millions of a brave and loyal people, we call upon the legislature to annihilate the odious bondage which bows down the mental, physical, and moral energies of Ireland; and, in the name of that gospel which breathes charity towards all, we seek freedom of conscience for all the inhabitants of the British empire.

May it therefore please this honourable House to abolish all penal and disabling laws, which in any manner infringe religious liberty, or restrict the free enjoyment of the sacred rights of conscience, within these realms.

And your Petitioners will ever pray.

THE END.

SPEECH
OF
CHARLES PHILLIPS, Esq.
IN THE CASE OF
O'MULLAN v. M'KORKILL,
DELIVERED AT THE COURT-HOUSE,
Galway.

MY LORD AND GENTLEMEN,

I AM instructed as of Counsel for the Plaintiff, to state to you the circumstances in which this action has originated. It is a source to me, I will confess it, of much personal embarrassment. Feebly, indeed, can I attempt to convey to you the feelings with which a perusal of this brief has affected me—painful to you must be my inefficient transcript—painful to all who have the common feelings of country or of kind, must be this calamitous compendium of all that degrades our individual nature, and of all that has, for many an age of sorrow, perpetuated a curse upon our national character. It is, perhaps, the misery of this profession, that every hour our vision may be blasted by some withering crime, and our hearts wrung with some agonizing recital; there is no frightful form of vice, no disgusting phantom of infirmity, which guilt does not array in spectral train before us. Horrible is the assemblage! humiliating the application! But, thank God, even amid those very scenes of disgrace and of debasement, occasions often arise for the redemption of our dignity; occasions on which the virtues breathed into us by heavenly inspiration walk abroad in the divinity of their exertion; before whose beam the wintry robe falls from the form of virtue, and all the midnight images of horror vanish into nothing. Joyfully and piously do I recognise such an occasion; gladly do I invoke you to the generous participation: yet, Gentlemen, though you must prepare to hear much that degrades our nature, much that distracts our country—though all

that oppression could devise against the poor—though all that persecution could inflict upon the feeble—though all that vice could wield against the pious—though all that the venom of a venal turpitude could pour upon the patriot, must with their alternate apparition afflict, affright, and ~~frustrate~~ ^{frustrate} you, still do I hope, that over this charnel-house of crime—over this very sepulchre, where corruption sits enthroned upon the mouldering merit it has murdered, that voice is at length about to be heard, at which the martyred victim will arise to vindicate the ways of Providence, and prove that even in its ~~worst~~ ^{worst} adversity there is a right and immortality in virtue.

The Plaintiff, Gentlemen, you have heard, is the Rev. CORNELIOUS O'MULLAN;—he is a Clergyman of the Church of Rome, and became invested with that venerable appellation so far back as September, 1804. It is a title which you know, in this country, no rank ennobles, no treasure enriches, no establishment supports; its possessor stands undisguised by any rag of this world's decoration, resting all temporal, all eternal hope upon his toil, his talents, his attainments, and his piety—doubtless, after all, the highest honours, as well as the most imperishable treasures, of the man of God. Year after year passed over my client, and each anniversary only gave him an additional title to these qualifications—his precept was but the handmaid to his practice—the sceptic heard him, and was convinced—the ignorant attended him, and were taught—he smoothed the death-bed of too heedless wealth—he rocked the cradle of the infant charity:—oh—no wonder he walked in the sunshine of the public eye—no wonder he toiled through the pressure of the public benediction. This is not an idle declamation—such was the result his ministry produced, that within five years from the date of its commencement, nearly 2000l. of voluntary subscription enlarged the temple where such precepts were taught, and such piety exemplified. Such was the situation of Mr. O'MULLAN, when a dissolution of Parliament took place, and an unexpected contest for the representation of Derry threw that county into unusual commotion. One of the candidates was of the PONSONBY family—a family devoted to the interests, and dear to the heart of Ireland; he naturally thought that his Parliamentary conduct entitled him to the vote of every Catholic in the land, and so it did, not only of every Catholic, but of every Christian who preferred the diffusion of the Gospel to the ascendancy of a sect, and loved the principles of the Constitution better than the pretensions of a party. Perhaps you will think with me, that there is a sort of posthumous interest thrown about that event, when I tell you, that the candidate on that occasion was the lamented hero over whose tomb the tears, not only of Ireland, but of Europe, have been so lately shed; he who 'mid the blossom of the world's chivalry, died conquering a deathless name upon the field of Waterloo. He applied to Mr. O'MULLAN for his interest, and that interest was

cheerfully given---the concurrence of his Bishop having been previously obtained. Mr. POKSONBY succeeded; and a dinner, to which all parties were invited, and from which all party spirit was expected to absent itself, was given to commemorate one common triumph---the purity and the privileges of election. In other countries such an expectation might be natural; the exercise of a noble constitutional privilege, the triumph of a great popular cause, might not unaptly expand itself in the intercourse of the board, and unite all hearts in the natural bond of festive commemoration. But, alas, Gentlemen, in this unhappy land, such has been the result, whether of our faults, our follies, or our misfortunes, that a detestable disunion converts the very balm of the bowl into poison, commissioning its vile and harpy offspring to turn even our festivity into famine. My client was at this dinner. It was not to be endured, that a Catholic should pollute with his presence the civic festivities of the *loyal Londonderry*!---Such an intrusion, even the acknowledged sanctity of his character could not excuse---it became necessary to insult him. There is a toast which, perhaps, few in this united county are in the habit of hearing, but it is the invariable watch-word of the Orange orgies---it is briefly entitled, "The glorious, pious, and immortal memory of the great and good King WILLIAM!" I have no doubt, the simplicity of your understandings is puzzled how to discover any offence in the commemoration of the Revolution Hero. The loyalists of Derry are more wise in their generation. There, when some Bacchanalian bigots wish to avert the intrusive visitations of their own memory, they commence by violating the memory of King WILLIAM.* Those who happen to have shoes of silver in their fraternity (no very usual occurrence), thank his Majesty that the shoes are not wooden, and that the silver is not brass---a commodity, by the by, of which any legacy would have been quite superfluous. The Pope comes in for a pious benediction; and the toast concludes with a patriotic wish for all of his persuasion,---by the consummation of which, there can be no doubt the hempen manufactures of this country would experience a very considerable consumption. Such, Gentlemen, is the enlightened, and liberal, and social sentiment, of which the first sentence, all that is usually given, forms the suggestion. I must not omit that it is generally taken standing; always,---provided it be in the power of the company! This toast was pointedly given to insult Mr. O'MULLAN. Naturally averse to any altercation, his most obvious course was to quit the

* This loyal toast, handed down by Orange tradition, is literally as follows; we give it for the edification of the English Reader:--

"The glorious, pious, and immortal memory of the great and good King William, who saved us from Pope and Popery, James and slavery, brass money and wooden shoes. Here is bad luck to the Pope, and a hempen rope to all Papists---"

It is drank kneeling, if they cannot stand,---with nine times nine; and various mysteries which none but the *elect* can comprehend.

company, and this he did immediately. He was, however, as immediately recalled, by an intimation, that "the CATHOLIC QUESTION, and might its claims be considered justly and liberally," had been toasted as a peace-offering by Sir GEORGE HILL, the City Recorder. My client had no gall in his disposition---he at once clasped to his heart the friendly overture, and in such phrase as his simplicity supplied, poured forth the gratitude of that heart to the liberal Recorder. Poor O'MULLAN had the wisdom to imagine, that the politician's compliment was the man's conviction; and that a table toast was the certain prelude to a parliamentary suffrage. Despising all experience, he applied the adage, "Cœlum non animum mutant qui trans mare currunt," to the Irish patriot. I need not paint to you the consternation of Sir George, at so unusual and so unparliamentary a construction. He indignantly disclaimed the intention imputed to him---denied and deprecated the unfashionable inference---and, acting on the broad scale of an impartial policy, gave to one party the weight of his vote, and to the other the (no doubt in his opinion) equally valuable acquisition of his eloquence:---by the way, no unusual compromise amongst modern politicians.

The proceedings of this dinner soon became public.---Sir George, you may be sure, was little in love with his notoriety. However, Gentlemen, the sufferings of the powerful are seldom without sympathy; if they receive not the solace of the disinterested, and the dear, they are at least sure to find a substitute in the miserable professions of an interested hypocrisy. Who could imagine that Sir George, of all men, was to drink from the spring of Catholic consolation? yet so it happened. Two men of that communion had the hardihood and the servility to frame an Address to him, reflecting upon the pastor, who was its pride and its ornament. This Address, with the most obnoxious commentaries, was instantly published by the *Derry Journalist*, who from that hour, down to the period of his ruin, has not ceased to persecute my client, with all that the most deliberate falsehood could invent, and all that the most infuriate bigotry could perpetrate. This journal I may as well now describe to you---it is one of the numerous publications which the misfortunes of this unhappy land have generated, and which has grown into considerable affluence by the sad contributions of the public calamity. There is not a provincial village in Ireland which some such official fiend does not infest; fabricating a gazette of fraud and falsehood upon all who presume to advocate her interests, or uphold the ancient religion of her people. The worst foes of Government, under pretence of giving it assistance---the deadliest enemies to the Irish name, under the mockery of supporting its character---the most licentious, irreligious, illiterate banditti, that ever polluted the fair fields of literature, under the spoliated banner of the press. Bloated with the public spoil, and blooded in the chase of character, no abilities can arrest---no piety can awe---no misfor-

tunes affect—no benevolence conciliate them ;—the reputation of the living, and the memory of the dead, are equally plundered in their desolating progress : even the awful sepulchre affords not an asylum to their selected victim,---Human hyænas---they will rush into the sacred depositories of the departed, gorging their ravenous and irreverend rapine, amid the mouldering memorials of man's last infirmity ! Such is a too true picture of what I hope unauthorizdly misnames itself the Ministerial Press of Ireland. Amid that polluted press, it is for you to say, whether *The Londonderry Journal* stands on an infamous elevation. When this Address was published in the name of the Catholics, that calumniated body, as was naturally to be expected, became universally indignant.

You may remember, Gentlemen, amongst the many expedients resorted to by Ireland, for the recovery of her rights, after she had knelt session after session at the bar of the legislature, covered with the wounds of glory, and *praying redemption from the chains that rewarded them* ;---you may remember, I say, amongst many vain expedients of supplication and remonstrance, her Catholic population delegated a Board to consult on their affairs, and forward their petition. Of that body, fashionable as the topic has now become, far be it from me to speak with disrespect. It contained much talent---much integrity ; and it exhibited what must ever be to me an interesting spectacle, a great body of my fellow-men and fellow-christians, claiming admission into that constitution which their ancestors had achieved by their valour, and to which they were entitled as their inheritance. This is no time, this is no place for the discussion of that question---but since it does force itself incidentally upon me, I will say that, as on the one hand I cannot fancy a despotism more impious, or more inhuman, than the political debasement here, on account of that faith by which men hope to win an happy eternity hereafter ; so on the other, I cannot fancy a vision in its aspect more divine, than the eternal Cross, red with the martyr's blood, and radiant with the pilgrim's hope, reared by the patriot, and the Christian hand, high in the van of universal liberty. Of this Board, the two volunteer framers of the Address happened to be members. The body who deputed them instantly assembled, and declared their delegation void. You would suppose, Gentlemen, that after this decisive public brand of reprobation, those officious meddlers would have avoided its recurrence, by retiring from scenes for which nature and education had totally unfitted them. Far, however, from acting under any sense of shame, those excluded outcasts even summoned a meeting, to appeal from the sentence the public opinion had pronounced on them. The meeting assembled, and after almost the day's deliberation on their conduct, the former sentence was unanimously confirmed. The men did not deem it prudent to attend themselves, but at a late hour, when the business was concluded---when the resolutions had passed---when the chair was vacated---when the

multitude was dispersing--they attempted with some Orange followers to obtrude into the Chapel, which in large cities, such as **Derry**, is the usual place of meeting. An angry spirit arose amongst the people.---Mr. O'MULLAN, as was his duty, locked the doors, to preserve the house of God from profanation, and addressed the crowd in such terms as induced them to repair peaceably to their respective habitations. I need not paint to you the bitter emotions with which these deservedly disappointed men were agitated. All hell was at work within them, and a conspiracy was hatched against the peace of my client, the vilest, the foulest, the most infernal, that ever vice devised, or demons executed. Restrained from exciting a riot by his interference, they actually swore a riot against him---prosecuted him to conviction---worked on the decaying intellect of his Bishop to desert him---and, amid the savage war-whoop of this slanderous journal, all along inflaming the public mind by libels the most atrocious, finally flung this poor, pious, peaceable, unoffending priest, into a damp and desolate dungeon, where the very iron that bound had more of humanity than the despots that surrounded him. I am told, they triumph much in his conviction---I seek not to impugn the verdict of that Jury---I have no doubt they acted conscientiously---it weighs not with me that every member of my client's creed was carefully excluded from that Jury---no doubt they acted conscientiously. It weighs not with me, that every man impanelled on the trial of the Priest was exclusively Protestant, and that too in a city so prejudiced, that not long ago, by their Corporation law, no Catholic dare breathe the air of Heaven within its walls---no doubt they acted conscientiously. It weighs not with me, that not three days previously, one of that Jury was heard publicly to declare, he wished he could prosecute the Papist to his death---no doubt they acted conscientiously. It weighs not with me, that the public mind had been so inflamed by the exasperation of this libeller, that an impartial trial was utterly impossible.---Let them enjoy their triumph.---But for myself, knowing him as I do, here in the teeth of that conviction, I declare it, I would rather be that man, so aspersed, so imprisoned, so persecuted, and *have his consciousness*, than stand the highest of the courtliest rabble that ever fawned before the foot of power or fed upon the people---plundered alms of despotism. Oh, of short duration is such demoniac triumph.---Oh, blind and baseless is the vaunt of vice, imagining its victory can be more than for the moment. This very day, I hope, will prove, that if virtue suffers, it is but for a season; and that sooner or later, their patience tried, and their purity testified, prosperity will crown the interests of probity and worth.

Perhaps you imagine, Gentlemen, that his person imprisoned---his profession gone---his prospects ruined---and what he held dearer than all---his character defamed;---the malice of his enemies might have rested from persecution. "Thus bad begins, but worse

"Attend, I beseech you; to what now follows--because I have come in order to the particular libel, which we have selected from the crowded calumnies of this journal, and to which we call your peculiar consideration. Business of moment, to the nature of which I shall feel it my duty presently to advert, called Mr. O'MULLAN to the metropolis. Through the libels of the Defendant, he was at this time in disfavour with his Bishop; and a rumour had gone abroad, that he was never again to revisit his ancient congregation. The Bishop, in the interim, returned to Derry, and, on the Sunday following, went to officiate at the parish chapel. All ranks crowded tremulously round him--the widow sought her guardian--the orphan his protector--the poor their patron--the rich their guide--the ignorant their pastor--all, with one voice, demanded his recall, by whose absence the graces, the charities, the virtues of life, were left orphans in their communion. Can you imagine a more interesting spectacle?--The human mind never conceived--the human hand never depicted a more instructive or delightful picture. Yet, will you believe it, out of this very circumstance the Defendant fabricated the most audacious, and if possible, the most cruel of libels. Hear his words:--"O'MULLAN," says he, "was convicted and degraded; for assaulting his own Bishop; and the Recorder of Derry, in the parish chapel." Observe the disgusting malignity of the libel--observe the crowded damnation which it accumulates on my client--observe all the aggravated crime which it embraces. First he assaults his venerable Bishop--the great ecclesiastical patron to whom he was sworn to be obedient, and against whom he never conceived or articulated irreverence. Next he assaults the Recorder of Derry, a Privy Councillor, the supreme judicial authority of the city. And where does he do so? Gracious God, in the very temple of thy worship!--That is, says the inhuman libeller,--he, a citizen--he, a Clergyman, insulted, not only the civil, but the ecclesiastical authorities, in the face of man, and in the house of prayer; trampling contumeliously upon all human law; amid the sacred altars where he believed the Almighty witnessed the profanation! I am so horror-struck at this blasphemous and abominable turpitude, I can scarcely proceed. What will you say, Gentlemen; when I inform you, that at the very time this atrocity was imputed to him, he was in the city of Dublin, at a distance of 120 miles from the venue of its commission?--But, oh! when calumny once begins its work, how vain are the impediments of time and distance. Before the sirocco of its breath, all nature withers, and age, and sex, and innocence, and station, perish in the unseen but certain desolation of its progress! Do you wonder O'MULLAN sunk before these accumulated calumnies? Do you wonder the feeble were intimidated, the wavering decided, the prejudiced confirmed? He was forsaken by his Bishop; he was denounced by his enemies--his very friends fled in consternation from the "stricken deer;"--he was banished from the scenes of his childhood, from the cu-

dearments of his youth, from the field of his fair and honorable ambition. In vain did he resort to strangers for subsistence; on the very wings of the wind the calumny preceded him, and from that hour to this---a too true apostle---he has been "a man of sorrows," "not knowing where to lay his head." I will not appeal to your passions; alas! how inadequate am I to depict his sufferings; you must take them from the evidence. I have told you that at the time of those infernally fabricated libels, the Plaintiff was in Dublin, and I promised to advert to the cause by which his absence was occasioned.

Observing, in the course of his parochial duties, the deplorable, I had almost said, the *organized ignorance of the Irish peasantry*---an ignorance whence all their crimes, and most of their sufferings, originate;---observing also, that there was no publicly established literary institution to relieve them, save only the charter Schools, which tendered learning to the shivering child as a bounty upon apostasy to the faith of his fathers; he determined, if possible, to give them the lore of this world, without offering it as a mortgage upon the inheritance of the next. He framed the prospectus of a school, for the education of five hundred children, and went to the metropolis to obtain subscriptions for the purpose. I need not descant on the great general advantage, or, to this country, the peculiarly patriotic purpose which the success of such a plan must have produced. No doubt you have all personally considered---no doubt you have all personally experienced, that of all the blessings which it has pleased Providence to allow us to cultivate, there is not one which breathes a purer fragrance, or bears an heavenlier aspect, than education. It is a companion which no misfortunes can depress---no clime destroy---no enemy alienate---no despotism enslave---at home a friend---abroad an introduction---in solitude a solace---in society an ornament---it chastens vice---it guides virtue---it gives at once a grace and government to genius. Without it, what is man?---a splendid slave! a reasoning savage! vacillating between the dignity of an intelligence derived from God, and the degradation of passions participated with brutes; and, in the accident of their alternate ascendancy, shuddering at the terrors of an hereafter, or hugging the horrid hope of annihilation. What is this wondrous world of his residence!

"A mighty maze, and all without a plan;"

a dark, and desolate, and dreary cavern, without wealth, or ornament, or order---but light up within it the torch of knowledge, and how wondrous the transition! The seasons change---the atmosphere breathes---the landscape lives---earth unfolds its fruits---ocean rolls in its magnificence---the heavens display their constellated canopy---and the grand animated spectacle of nature rises revealed before him, its varieties regulated, and its mysteries resolved! The phenomena which bewilder---the prejudices which

debases--the superstitions which enslave, vanish before education. --Like the holy symbol which blazed upon the cloud before the hesitating Constantine, if man follow but its precepts purely, it will not only lead him to the victories of this world, but open the very portals of omnipotence for his admission. Cast your eye over the monumental map of ancient grandeur, once studded with the stars of empire, and the splendours of philosophy. What erected the little state of Athens into a powerful commonwealth, placing in her hand the sceptre of legislation, and wreathing round her brow the imperishable chaplet of literary fame?---What extended Rome, the haunt of a banditti, into universal empire? What animated Sparta with the high, unbending, adamant courage, which conquered nature herself, and has fixed her in the sight of future ages, a model of public virtue, and a proverb of national independence? What, but those wise public institutions, which strengthened their minds with early application, informed their infancy with the principles of action, and sent them into the world, too vigilant to be deceived by its calms, and too vigorous to be shaken by its whirlwinds! But surely if there be a people in the world to whom the blessings of education are peculiarly applicable, it is the Irish people. I think, I know my countrymen---lively, ardent, intelligent, and sensitive; nearly all their acts spring from impulse, and no matter how that impulse be given, it is immediately adopted, and the adoption and the execution are identified. It is this principle, if principle it can be called, which renders Ireland alternately the poorest and the proudest country in the world---now chaining her in the very abyss of crime---now lifting her to the very pinnacle of glory---which, in the poor, proscribed, peasant Catholic, crowds the gaol and feeds the gibbet---which, in the more fortunate, because *more educated* Protestants, leads victory a captive at her car, and *holds echo mute at her eloquence*; making a national monopoly of fame, and, as it were, attempting to naturalize the achievements of the universe!--In order that this libel may want no possible aggravation, the Defendant published it when my client was absent on this work of patriotism---he published it when he was absent---he published it when he was absent on a work of virtue, and he published it on all the authority of his local knowledge, when that very local knowledge must have told him, that it was destitute of the shadow of a foundation. Can you imagine a more odious complication of all that is deliberate in malignity, and all that is depraved in crime? I promised, Gentlemen, that I would not harrow your hearts, by exposing all that agonizes mine, in the contemplation of individual suffering. There is however one subject connected with this trial, public in its nature, and universal in its interest, which imperiously calls for an exemplary verdict; I mean the *Liberty of the Press*---a theme which I approach with mingled sensations of awe, and agony, and admiration. Considering all that we too fatally have seen---all that, perhaps, too fearfully we may have cause to apprehend, I feel myself cling to that

residuary safeguard with an affection no temptation can seduce--- with a suspicion no anodyne can lull---with a fortitude that perit but infuriates. In the direful retrospect of experimental despotism, and the hideous prospect of its possible reanimation, I clasp it with the desperation of a widowed female, who, in the desolation of her house, and the destruction of her household, hurries the last of her offspring through the flames, at once the relic of her joy, the depository of her wealth, and the remembrancer of her happiness. It is the duty of us all to guard strictly this inestimable privilege---a privilege which can never be destroyed, save by the licentiousness of those who wilfully abuse it.---No, it is not in the arrogance of power---no, it is not in the artifices of law---no, it is not in the fatuity of princes---no, it is not in the venality of Parliament, to crush this mighty, this majestic privilege.---Reveiled, it will remonstrate---murdered, it will revive---buried, it will re-ascend. The very attempt at its oppression will prove the truth of its immortality, and the atom that presumed to spurn, will fade away before the trumpet of its retribution! Man holds it on the same principle that he does his soul---the powers of this world cannot prevail against it---it can only perish through its own depravity. What then shall be his fate, through whose instrumentality it is sacrificed? Nay, more---what shall be his fate, who intrusted with the guardianship of its security, becomes the traitorous accessory to its ruin? Nay, more---what shall be his fate, by whom its powers, delegated for the public good, are converted into the calamities of private virtue? Against whom industry denounced, merit undermined, morals calumniated, piety aspersed, all through the very means confided for their protection, cry aloud for vengeance? What shall be his fate? Oh! I would hold such a monster, so shielded, so sanctified, and so sinning, as I would some demon, who, going forth consecrated in the name of the deity, the book of life on his lips, and the dagger of death beneath his robe, awaits the sigh of piety as the signal of plunder, and unveils the heart's blood of confiding adoration! Should not such a case as this require some palliation? Is there any? Perhaps the Defendant might have been misled as to circumstances! No; he lived upon the spot, and had the best possible information. Do you think he believed in the truth of the publication? No; he knew that in every syllable it was as false as perjury. Do you think that an anxiety for the Catholic community might have inflamed him against the imaginary dereliction of its advocate? No; the very essence of his journal is prejudice. Do you think that in the ardour of liberty he might have venally transgressed its boundaries? No; in every line he licks the sores, and pampers the pestilence of authority. I do not ask you to be stoics in your investigation---if you can discover in this libel one motive inferentially moral---one single virtue, which he has plundered and misapplied, give him its benefit. I will not demand such an effort of your faith as to imagine that his northern constitution could, by any miracle, be fired into the admir-

able but mistaken energy of enthusiasm;---that he could for one moment have felt the inspired frenzy of those loftier spirits, who, under some daring, but divine delusion, rise into the arch of an ambition so bright, so baneful, yet so beauteous, as leaves the world in wonder whether it should admire or mourn---whether it should weep or worship! No; you will not only search in vain for such a palliative; but you will find this publication, springing from the most odious origin, and disfigured by the most foul accompaniments, founded in a bigotry at which hell rejoices---crouching with a sycophancy at which flattery blushes---deformed by a falsehood, at which perjury would hesitate---and, to crown the climax of its crowded infamies, committed under the sacred shelter of the press:---as if this false, slanderous, sycophantic slave, could not assassinate private worth, without polluting public privilege---as if he could not sacrifice the character of the pious, without profaning the protection of the free---as if he could not poison learning, liberty, and religion, unless he filled his chalice from the very font whence they might have expected to derive the waters of their salvation!

Now, Gentlemen, as to the measure of your damages.---You are the best judges on that subject; though, indeed, I have been asked, and I heard the question with some surprise, why it is that we have brought this case at all to be tried before you. To that I might give at once an unobjectionable answer---namely, that the law allowed us. But I will deal much more candidly with you. We brought it here, because it was as far as possible from the scene of prejudice---because no possible partiality could exist---because in this happy and united county, less of the bigotry which distracts the rest of Ireland exists, than in any other with which we are acquainted---because the nature of the action, which we have mercifully brought, in place of a criminal prosecution (the usual course pursued in the present day, at least against the independent press of Ireland), gives them, if they have it, the power of proving a justification; and I perceive they have emptied half the North here for the purpose. But I cannot anticipate an objection, which no doubt shall not be made. If this habitual libeller should characteristically instruct his Counsel to hazard it, that Learned Gentleman is much too wise to adopt it, and must know you much too well, to insult you by its utterance. What damages, then, Gentlemen, can you give? I am content to leave the Defendant's crime altogether out of the question; but how can you recompense the sufferings of my client? Who shall estimate the cost of priceless reputation---that impress which gives this human dross its currency, without which we stand despised, debased, depreciated? Who shall repair it injured? Who can redeem it lost? Oh! well and truly does the great philosophy of poetry esteem the world's wealth as "trash" in the comparison---without it, gold has no value---birth no distinction---station no dignity---beauty no charm---age no reverence---or should I not rather say, without it, every treasure is impoverished---

Oh! divine is the pleasure you are destined to experience—dearer to your hearts shall be the sensation, than to your pride shall be the dignity it will give you. What! though the people will hail the saviours of their pastor—what! though the priesthood will hallow the guardians of their brother, though many a peasant heart will leap at your name, and many an infant eye will enshrine their fame, who restored to life, to station, to dignity, to character, the venerable friend who taught their trembling tongues to lisp the rudiments of virtue and religion; still dearer than all will be the consciousness of the deed. Nor, believe me, countrymen, will it rest here—Oh, no! if there be light in instinct, or truth in revelation; believe me, at that awful hour, when you shall await the last inevitable verdict, the eye of your hope will not be the less bright, nor the agony of your ordeal the more acute, because you shall have, by this day's deed, redeemed the Almighty's persecuted Apostle from the grasp of an insatiate malice—from the fang of a worse than Philistine persecution.

[At the conclusion of this speech, Mr. PHILLIPS was greeted with the universal applause of his auditory.]

VERDICT FOR THE PLAINTIFF.

THE END.

SPEECH

OF

CHARLES PHILLIPS, ESQ.

AT ROSCOMMON ASSIZES, 1816.

CONNAGHTON V. DILLON.

THE following is a correct Report of the admirable Speech delivered by Mr. Phillips, on this occasion :—

In this case I am one of the Counsel for the Plaintiff, who has directed me to explain to you the wrongs for which, at your hands, he solicits reparation. It appears to me a case which undoubtedly merits much consideration, as well from the novelty of its appearance amongst us, as for the circumstances by which it is attended. Nor am I ashamed to say, that in my mind, not the least interesting of those circumstances is the poverty of the man who has made this appeal to me.—Few are the consolations which soothe—hard must be the heart which does not feel for him. He is, Gentlemen, a man of lowly birth and humble station—with little wealth but from the labour of his hands—with no rank but the integrity of his character—with no recreation but in the circle of his home—and with no ambition, but, when his days are full, to leave that little circle the inheritance of an honest name, and the treasure of a good man's memory. Far inferior, indeed, is he in this respect to his more fortunate antagonist.—He, on the contrary, is amply either blessed or cursed, with those qualifications which enable a man to adorn or disgrace the society in which he lives. He is, I understand, the representative of an honourable name—the relative of a distinguished family—the supposed heir to their virtues—the indisputable inheritor of their riches. He has been for many years a resident of your county, and has had the advantage of collecting round him all those recollections, which, springing from the scenes of school-boy association, or from the more matured enjoyments of the man, crowd as it were unconsciously to the heart, and cling with a venial partiality to the companion and the friend. So impressed, in truth, has he been with these advantages, that, surpassing the usual expenses of a trial, he has selected a tribunal where he vainly hopes such considerations will have weight, and where he well knows my client's humble rank can have no claim, but that to which his miseries may entitle him. I am sure, however, he has wretchedly miscalculated. I know none of you personally; but I have no doubt I am addressing men who will not prostrate their consciences before privilege or power;—who will remember that there is a nobility above birth, and a wealth beyond riches;—who will feel that, as in the eye of that God to whose aid they have appealed, there is not the minutest difference between the rag and the robe, so in the contemplation of that law which

constitutes our boast, guilt can have no protection, or innocence no tyrant—men who will have pride in proving, that the noblest adage of our noble constitution is not an illusive shadow—and that the peasant's cottage, roofed with straw, and tenanted by poverty, stands as inviolate from all invasion as the mansion of the monarch.

My client's name, Gentlemen, is Connaghton—and when I have given you his name you have almost all his history. To cultivate the path of honest industry, comprises, in one line—"the short and simple annals of the poor." This has been his humble, but at the same time most honourable occupation. It matters little with what artificial nothings chance may distinguish the name, or decorate the person: the child of lowly life, with Virtue for his handmaid, holds as proud a title as the highest—as rich an inheritance as the wealthiest. Well has the poet of your country said—that

"Princes or Lords may flourish or may fade,
A breath can make them, as a breath has made;
But a brave peasantry, their country's pride,
When once destroy'd can never be supplied."

For all the virtues which adorn that peasantry—which can render humble life respected, or give the highest stations their most permanent distinctions, my client stands conspicuous. An hundred years of sad vicissitude, and, in this land, often of strong temptation, have rolled away since the little farm on which he lives received his family—and during all that time not one accusation has disgraced—not one crime has sullied it. The same spot has seen his grandsire and his parent pass away from this world—the village memory records their worth, and the rustic tear hallows their resting place. After all, when life's mockeries shall vanish from before us, and the heart that now beats in the proudest bosom here, shall moulder unconscious beneath its kindred clay, Art cannot erect a nobler monument, or Genius compose a purer panegyric. Such, Gentlemen, was almost the only inheritance with which my client entered the world. He did not disgrace it—his youth, his manhood, his age up to this moment, have passed without a blemish—and he now stands confessedly the head of the little village in which he lives. About five-and-twenty years ago he married the sister of a highly respectable Roman Catholic clergyman, by whom he had a family of seven children, whom they educated in the principles of morality and religion, and who, until the Defendant's interference, were the pride of their humble home, and the charm or the consolation of its vicissitudes. In their virtuous children the rejoicing parents felt their youth renewed,—their age made happy: the days of labour became holidays in their smile; and if the hand of affliction pressed on them, they looked on their little ones, and their mourning ended. I cannot paint the glorious host of feelings—the joy—the love—the hope—the pride—the blended paradise of rich emotions with which the God of Nature fills the father's heart when he beholds his child in all its filial loveliness—when the vision of his infancy rises as it were reanimate before him, and a divine vanity exaggerates every trifle into some mysterious omen, which shall smooth his aged

wrinkles, and make his grave a monument of honour! I cannot describe them—but, if there be a parent on the jury, he will comprehend me. It is stated to me, that of all his children, there were none more likely to excite such feelings in the Plaintiff than the unfortunate subject of the present action—she was his favourite daughter, and she did not shame his preference. You shall find, most satisfactorily, that she was without stain or imputation—an aid and a blessing to her parents, and an example to her younger sisters, who looked up to her for instruction. She took a pleasure in assisting in the industry of their home; and it was at a neighbouring market, where she went to dispose of the little produce of that industry, that she unhappily attracted the notice of the Defendant. Indeed, such a situation was not without its interest—a young female, in the bloom of her attractions, exerting her faculties in a parent's service, is an object lovely in the eye of God, and, one would suppose, estimable in the eye of mankind. Far different, however, were the sensations which she excited in the Defendant. He saw her arrayed, as he confesses, in charms that enchanted him;—but her youth, her beauty, the smile of her innocence, and the piety of her toil, but inflamed a brutal and licentious lust, that should have blushed itself away in such a presence. What cared he for the consequences of his gratification?—There was

.....“No honour, no relenting ruth,
To paint the parents fondling o'er their child,
Then shew the ruin'd maid, and her distraction wild!”

What thought he of the home he was to desolate?—What thought he of the happiness he was to plunder?—His sensual rapine paused not to contemplate the speaking picture of the cottage ruin—the blighted hope—the broken heart—the parent's agony—and, last and most withering in the woful group, the wretched victim herself starving on the sin of a promiscuous prostitution; and at length, perhaps, with her own hand, anticipating the more tedious murder of its diseases! He need not, if I am instructed rightly, have tortured his fancy for the miserable consequences of hope bereft, and expectation plundered. Through no very distant vista, he might have seen the form of deserted loveliness weeping over the worthlessness of his worldly expiation, and warning him, that as there were cruelties no repentance could atone, so there were sufferings neither wealth, nor time, nor absence could alleviate.* If his memory should fail him—if he should deny the picture—no man can tell him half so efficiently as the venerable Advocate he has so judiciously selected, that a case might arise, where, though the energy of native virtue should defy the spoliation of the person—still crushed affection might leave an infliction on the mind, perhaps less deadly, but certainly not less indelible. I turn from

* Mr. PHILLIPS here alluded to a verdict of 5000*l.* obtained at the late Galway Assizes against the Defendant, at the suit of Miss Wilson, a very beautiful and interesting young Lady, for a breach of promise of marriage. Mr. WHITESTONE, who now pleaded for Mr. Dillon, was Miss Wilson's Advocate against him on the occasion alluded to.

this subject with an indignation which tortures me into brevity—I turn to the agents by which this contamination was effected.

I almost blush to name them—yet they were worthy of their vocation. They were no other than a menial servant of Mr. Dillon; and a base, abandoned profligate ruffian, a brother-in-law of the devoted victim herself, whose bestial appetites he bribed into subserviency!—It does seem as if by such a selection he was determined to degrade the dignity of the master while he violated the fine impulses of the man, by not merely associating with his own servant, but by diverting the purest streams of social affinity into the vitiated sewer of his enjoyment. Seduced by such instruments into a low public-house at Athlone, this unhappy girl heard, without suspicion, their mercenary panegyric of the Defendant; when, to her amazement, but no doubt, according to their previous arrangement, he entered and joined their company. I do confess to you, Gentlemen, when I first perused this passage in my brief, I flung it from me with a contemptuous incredulity. What! I exclaimed, as no doubt you are all ready to exclaim, can this be possible? Is it thus I am to find the educated youth of Ireland occupied? Is this the employment of the miserable aristocracy that yet lingers in this devoted country?—Am I to find them, not in the pursuit of useful science—not in the encouragement of arts or agriculture—not in the relief of an impoverished tenantry—not in the proud march of an unsuccessful but not less sacred patriotism—not in the bright page of warlike immortality, dashing its iron crown from guilty greatness, or feeding freedom's laurel with the blood of the despot! but am I to find them amid drunken panders and corrupted slaves, debauching the innocence of village life, and, even amid the stews of the tavern, collecting or creating the materials of the brothel! Gentlemen, I am still unwilling to believe it, and, with all the sincerity of Mr. Dillon's advocate, I do entreat you to reject it altogether, if it be not substantiated by the unimpeachable corroboration of an oath. As I am instructed, he did not, at this time, alarm his victim by any direct communication of his purpose; he saw that “she was good as she was fair,” and that a premature disclosure would but alarm her virtue into an impossibility of violation. His satellites, however, acted to admiration. They produced some trifle which he had left for her disposal—they declared he had long felt for her a sincere attachment—as a proof that it was pure, they urged the modesty with which, at a first interview, elevated above her as he was, he avoided its disclosure.—When she pressed the madness of the expectation which could alone induce her to consent to his addresses, they assured her that though in the first instance such an event was impossible, still in time it was far from being improbable—that many men from such motives forgot altogether the difference of station—that Mr. Dillon's own family had already proved every obstacle might yield to an all-powerful passion, and induce him to make her his wife who had reposed an affectionate credulity on his honour! Such were the subtle artifices to which he stooped. Do not imagine, however,

that she yields immediately and implicitly to their persuasions ; I should scarcely wonder if she did. Every day shews us the rich, the powerful, and the educated, bowing before the spell of ambition, or avarice, or passion, to the sacrifice of their honour, their country, and their souls : what wonder then if a poor ignorant peasant girl had at once sunk before the united potency of such temptations. —But she did not. Many and many a time the truths which had been inculcated by her adoring parents rose up in arms—and it was not until various interviews, and repeated artifices, and uniting efforts, that she yielded her faith, her fame, and her fortunes, to the disposal of her seducer.—Alas, alas ! how little did she suppose that a moment was to come when, every hope denounced, and every expectation dashed, he was to fling her for a very subsistence on the charity or the crimes of the world she had renounced for him?—How little did she reflect that in her humble station, unsoiled and sinless, she might look down upon the elevation to which vice would raise her ! Yes, even were it a throne, I say she might look down on it. There is not on this earth a lovelier vision—there is not for the skies a more angelic candidate than a young, modest maiden, robed in chastity ; no matter what its habitation, whether it be the palace or the hut :——

“ So dear to Heaven is saintly Chastity,
That when a soul is found sincerely so,
A thousand liveried angels lackey her,
Driving far off each thing of sin and guilt,
And in clear dream and solemn vision
Tell her of things that no gross ear can hear,
Till oft converse with heavenly habitants,
Begin to cast a beam on the outward shape,
The unpolluted temple of the mind,
And turn it by degrees to the soul's essence,
Till all be made immortal.”——

Such is the supreme power of chastity, as described by one of our divine bards, and the pleasure which I feel in the recitation of such a passage is not a little enhanced, by the pride that few countries more fully afford its exemplification than our own. Let foreign envy decry us as it will, CHASTITY IS THE INSTINCT OF THE IRISH FEMALE :—the pride of her talents—the power of her beauty—the splendour of her accomplishments are but so many handmaids of this vestal virtue—it adorns her in the Court—it ennobles her in the cottage—whether she basks in prosperity or pines in sorrow, it clings about her like the diamond of the morning on the mountain flowret, trembling even in the ray that at once exhibits and inhales it ! Rare in our land is the absence of this virtue. Thanks to the modesty that venerates—thanks to the manliness that brands and avenges its violations. You have seen that it was by no common temptations even this humble villager yielded to seduction.

I now come, Gentlemen, to another fact in the progress of this transaction, betraying, in my mind, as has a premeditation, and as low and as deliberate a deception as I ever heard of. While this

wretched creature was in a kind of counterpoise between her fear and her affection—struggling as well as she could between passion inflamed and virtue unextinguished—Mr. Dillon, ardently avowing that such an event as separation was impossible—ardently avowing an eternal attachment, insisted upon perfecting an article which should place her above the reach of contingencies. Gentlemen, you shall see this document voluntarily executed by an educated and estated Gentleman of your county.—I know not how you will feel, but for my part I protest I am in a suspense of admiration between the virtue of the proposal, and the magnificent prodigality of the provision. Listen to the article—it is all in his own hand-writing :—“ I promise,” says he, “ to give Mary Connaughton the sum of ten pounds sterling per annum, when I part with her ; but if she, the said Mary, should at any time hereafter conduct herself improperly, or (mark this Gentlemen) *has done so before the drawing of this article*, I am not bound to pay the sum of ten pounds, and this article becomes null and void as if the same was never executed. John Dillon.”—There, Gentlemen, there is the notable and dignified document for you—take it into your Jury box, for I know not how to comment on it. Oh, yes, I have heard of ambition urging men to crime—I have heard of Love inflaming even to madness—I have read of passion rushing over law and religion to enjoyment ; but never, until this, did I see frozen avarice chilling the hot pulse of sensuality and desire, and pause, before its brutish draught, that it might add deceit to desolation ! I need not tell you that having provided in the very execution of this article for its predetermined infringement ; that knowing, as he must, any stipulation for the purchase of vice to be invalid by our law ; that having in the body of this article inserted a provision against that previous pollution which his prudent caprice might invent hereafter, but which his own conscience, her universal character, and even his own desire for her possession, all assured him did not exist at the time—I need not tell you that he now urges the invalidity of that instrument—that he now presses that previous pollution—that he refuses from his splendid income the pittance of ten pounds to the wretch he has ruined, and spurns her from him to pine beneath the *reproaches* of a parent’s mercy, or linger out a living death in the charnel houses of prostitution ! You see, Gentlemen, to what designs like these may lead a man—I have no doubt, if Mr. Dillon had given his heart fair play—had let his own nature gain a moment’s ascendancy, he would not have acted so—but there is something in guilt which infatuates its votaries forward—it may begin with a promise broken, but it will end with the home depopulated. But there is something in a seducer of peculiar turpitude. I know of no character so vile—so detestable. He is the vilest of robbers, for he plunders happiness—the worst of murderers, for he murders innocence—his appetites are of the brute—his arts of the dæmon—the heart of the child and the curse of the parent are the foundations of the altar which he rears to a lust, whose fires are the fires of hell, and whose incense is the

agency of virtue! I hope Mr. Dillon's advocate may prove that he does not deserve to rank in such a class as this; but if he does, I hope the infatuation inseparably connected with such proceedings may not tempt him to deceive you through the same plea by which he has defrauded his miserable dupe.

I dare him to attempt the defamation of a character, which, before his cruelties, never was even suspected. Happily, Gentlemen, happily for herself, this wretched creature, thus cast upon the world, appealed to the parental refuge she had forfeited. I need not describe to you the parent's anguish at the heart-rending discovery. God help the *poor* man when misfortune comes upon him! How few are his resources! How distant his consolation! You must not forget, Gentlemen, that it is not the unfortunate victim herself who appeals to you for compensation. Her crimes, poor wretch, have outlawed her from retribution, and, however the temptations by which her erring nature was seduced, may procure an audience from the ear of mercy, the stern morality of the law refuses their interference. No, no, it is the wretched parent who comes this day before you,—his aged locks withered by misfortune, and his heart broken by crimes of which he was unconscious. He resorts to this tribunal, in the language of the law, claiming the value of his daughter's servitude—but let it not be thought that it is for her mere manual labours he solicits compensation. No, you are to compensate him for all he has suffered—for all he has to suffer—for feelings outraged—for gratifications plundered—for honest pride put to the blush—for the exiled endearments of his once happy home—for all those innumerable and instinctive extacies with which a virtuous daughter fills her father's heart, for which language is too poor to have a name, but of which nature is abundantly and richly eloquent! Do not suppose I am endeavouring to influence you by the power of declamation. I am laying down to you the British Law, as liberally expounded and solemnly adjudged. I speak the language of the English Lord Eldon, a Judge of great experience and greater learning—(Mr. Phillips here cited several cases as decided by Lord Eldon).—Such, Gentlemen, is the language of Lord Eldon. I speak also on the authority of our own Lord Avonmore—a Judge who illuminated the Bench by his genius, endeared it by his suavity, and dignified it by his bold uncompromising probity—one of those rare men, who hid the thorns of law beneath the brightest flowers of literature, and, as it were, with the wand of an enchanter, changed a wilderness into a garden! I speak upon that high authority—but I speak on other authority paramount to all!—on the authority of Nature rising up within the heart of man, and calling for vengeance upon such an outrage. God forbid that in a case of this kind, we were to grope our way through the ruins of antiquity, and blunder over statutes, and burrow through black letter, in search of an interpretation which Providence has engraved in living letters on every human heart. Yes—if there be one amongst you, blessed with a daughter, the smile of whose infancy still cheers your memory, and the

promise of whose youth illuminates your hope—who has endeared the toils of your manhood—whom you look up to as the solace of your declining years—whose embrace alleviated the pang of separation—whose glowing welcome hailed your oft anticipated return—Oh, if there be one amongst you, to whom those recollections are dear, to whom those hopes are precious—let him only fancy that daughter torn from his caresses by a seducer's arts, and cast on the world, robbed of her innocence:—and then let him ask his heart "*what money could reprise him?*"

The Defendant, Gentlemen, cannot complain that I put it thus to you. If in place of seducing, he had assaulted this poor girl—if he had attempted by force what he has achieved by fraud, his life would have been the forfeit; and yet how trifling in comparison would have been the parent's agony! He has no right, then, to complain, if you should estimate this outrage at the price of his very existence. I am told, indeed, this Gentleman entertains an opinion, prevalent enough in the age of feudalism, as arrogant as it was barbarous, that the poor are only a species of property, to be treated according to interest or caprice; and that wealth is at once a patent for crime, and an exemption from its consequences. Happily for this land, the day of such opinions has passed over it—the eye of a purer feeling and more profound philosophy now beholds riches but as one of the aids to virtue, and sees in oppressed poverty only an additional stimulus to increased protection. A generous heart cannot help feeling, that in cases of this kind, the poverty of the injured is a dreadful aggravation. If the rich suffer, they have much to console them; but when a poor man loses the darling of his heart—the sole pleasure with which nature blessed him—how abject—how cureless is the despair of his destitution! Believe me, Gentlemen, you have not only a solemn duty to perform, but you have an awful responsibility imposed upon you. You are this day, in some degree, trustees for the morality of the people—perhaps of the whole nation; for depend upon it, if the sluices of immorality are once opened among the lower orders of the people, the frightful tide, drifting upon its surface all that is dignified or dear, will soon rise even to the habitations of the highest. I feel, Gentlemen, I have discharged my duty—I am sure you will do your's. I repose my client with confidence in your hands; and most fervently do I hope, that when evening shall find you at your happy fire side, surrounded by the sacred circle of your children, you may not feel the heavy curse gnawing at your heart, of having let loose, unpunished, the prowler that may devour them. Gentlemen, we will now call our evidence. I assure you I have stated this case far less strongly than my instructions would warrant me; but, even so, I cannot avoid warning you to take no word of mine for granted, and to decide solely according to the testimony produced to you.

Verdict for the Plaintiff.

IRISH ORATORY AND SCOTCH REVIEWING,
A LETTER IN DEFENCE OF
MR. PHILLIPS'S SPEECH,
IN
GUTHRIE v. STERNE,
FROM THE ATTACK OF THE EDINBURGH REVIEW,
BY AN IRISHMAN.

SIR,

Among the many short-lived productions which our prolific press is ever delivering, and indeed they are many, there is none, perhaps, more valuable or hurtful than a *Review*—with more life and weight in it than most of its periodical brethren, it falls the heavier on the public mind, at all times highly impressible; its stamp lasts longer, its sting sinks deeper; its praise more warms, its censure more wounds; it is every way more formidable; its progress should be watched: if it rids us of vermin, eats away rubbish, and throws around light, let it live and flourish; if this food be not enough, and if, in the voraciousness of its appetite, it attempts to swallow up our feelings and our taste, in the name of Truth let it be choked and perish!

That our Literary Atmosphere is pestered and polluted with some such creatures as the latter, is too notorious; beings who only live on mangled Authorship, first bathing in its blood, then crawling in its carrion; seeking in their flight whom to devour and whom to wound; marking the wretched victim whose fame is to be sacrificed, whose feelings are to be gored; and dropping their venom in the finest springs of our intelligence. Fortunately, however, there is a worthy class in the tribe—a class which, where it moves, it gives light, where it touches it adorns; a class which improves our habits of taste, refines our habits of reason, and gives currency and ready value to our common stock of knowledge.

In the latter of these classes I should wish to rank the formidable creature I am about to describe; unfortunately, it attaches itself to neither, mixes in the properties of both, and thus becomes a character *sui generis*.

It hangs over the highest part of our horizon; its flights are often the loftiest, its falls are often the lowest; it was born in the cold skies of the North—it soon became a meteor, and moved in columns of light—like the aurora borealis, it broke through their fogs—its birth became an era, its light became a guide; like the sons of the North, it is healthy and long lived—hardy, industrious, and bold, it faces all winds, it lives in all storms; scented like the hound, and visioned like the eagle, it is ever on the alert—vigorous, penetrating, sagacious, and inveterate, its wing is seldom weary, its prey is ever secure; armed at all points, devoid of delicacy, and careless of defence, its attacks are indiscriminate, its

defeats few; a host in itself, a Leviathan in our literature, its course is despotic, its career devouring; dazzled by its glare and struck by its form, the smaller tribes play around, basking in its light and trembling in its shadow—by its fiat they are bound; by its frowns they are moved, and on its dogmas hangs their destiny; cautious, cold-blooded, and calculating, it knows where to wound, it knows whom to shelter; with few of the stings that belong to shame, and few of the pangs that belong to sorrow, and few of the “soft inheritances of sensibility,” it darts along its tremendous course, giving light with its beam, but ruin with its blast.

Years have added to its growth and strength—it has plumed its wing, and ventured on distant regions; its appetite increased—the stores of the North were soon exhausted—the sheeps-heads were nearly consumed—the crops of kale were giving way—famine threatened—it looked to the South—here it now feeds, and here it flourishes, and here it may live, till we are blinded or devoured.

I need not point out to you the name of this creature, this “*monstrum horrendum*,” &c.; the least suspected of criticism among your readers will guess it: and here let me drop from the clouds and address it in its earthly form—this suits it better, let me call it by its own name—a *Review*. To deny its ability, talent, and strength of constitution, would be almost scepticism in this age; the Statesman, the Philosopher, the Politician, the Poet, and the Housekeeper, all have mingled in the creed—by all it is homaged, and consulted, and feared, and talked of—the fires that burn on its altar blaze around our very hearths—the incense offered on its shrine scents our very tables—it is our domestic guide—systems of cookery are neglected—its name is coupled with orthodoxy—it is the new light that is to guide our path, the baptismal font that is to purge and regenerate us.

All this may be well—it may be necessary for us to have a standard by which our rights of taste and criticism are to be regulated—an office in which their affairs can be administered, an oracle by which they can be judged—does the *Edinburgh Review* combine the necessary qualifications for such? Here come in a few plain questions, which must first be got over. Is its ministry and its “calling” even and consistent? Are its praises and prejudices honest and sincere? Are its professions “pure though not holy?” Has it certain partialities to answer, and certain publishers to encourage? Is the constitution of its pages always sound? Are the wise men of the North often subject to disease? Has the warm climate of the South affected their liver or spleen? Has the green-eyed monster ever been found ogling them? Have the disorders arising from their lash been more than the cures arising from their correction? Has honest fame been tumbled down the height it was climbing? Has this many-handed giant stood alone upon the rock, and waved its blood-stained wand towards all intruders? Has worthy feeling been often torn by their blast, and left to bleed and left to perish? Has struggling fortune been crushed and crumbled by their catapulta? Have the proud and tender claims of

Authorship been insulted and despised, and Genius left to mourn that one day might have exulted? Has the frowning temple of their dynasty been only reared upon ruins, and swelled with the spoils which its Deity has immolated? Are the rights of our Literature fairly and impartially maintained? Is its system of observation, attack, and defence legitimate? Are the campaigns of Criticism fairly carried on?

To attempt answering these questions would require space, time, labour, and temper; perhaps neither of us can afford these articles; it would be wading through a long and heavy field; let us leave it to the page of truth.

The rights of pure criticism are narrowly bounded; if it wanders beyond these it must renounce its title. We need not read the pages of Longinus or Lord Kames to find this. The Edinburgh Review seems to deal less in Criticisms than in Treatises; in the plenitude of its power, it despises single combat, keeps an eye on its man, touches him at various angles of impingement, and wanders abroad to shew its own tactics.—This is a system worthy of its school; the application to mathematics is happy—its effect is certain—the poor unhappy victim is dragged out—he is first tickled and tormented like a mouse with a cat—he is let to run a certain distance—but is soon reminded of the length of his cord and his freedom—the ingenuity of his tormentor furnishes fresh subjects of titillation—its tricks tease, its motions frighten him—he trembles, grows weary and exhausted, and one last gulp often decides his fate; single attack then has little weight with this mighty host; a cuirassed gladiator standing in his own arena, few weapons can touch him—to make him feel, his mail of brass must be broken.

But, Sir, I must come to the point of this letter; I must put you in mind and memory of one of its last attacks—its Critique on Mr. Phillips's Speech in the case "*GUTHRIE versus STERNE*," in the Court of Common Pleas, Dublin, June 1815; of this Speech I presume you have heard—its notoriety, I hope, renders unnecessary my telling you its cause and character.

The Review of this Speech is entitled "*Irish Oratory*." A good solid tangible lump is thus formed, and an Anathema of large calibre is soon prepared; but this is not enough—the line of battery must be increased. "*Irish Oratory*" was a convenient term, it put the worthy Editor in mind of other Irish things, it touched on a chord of many sounds—he thinks, turns to the West, takes a pinch (perhaps of the *Irish Blackguard*) and begins most pleasantly remarking how sensible we are of the Genius of Ireland and Irish men—how nicely this sensibility makes up for some of her grievances, and what a comfort it is to her amidst all her sorrows; he then begins to calculate on the price of this genius, he fears it is a little too high at our market—he is determined to watch over its importation, and confine it to home consumption; what a generous zeal for the public service—what a laudable effort of retrenchment in the present state of our finances!

After Irish Genius comes *Irish Generosity*: this also he has

some doubt about—its price, he fears, is equally over-rated in this Country; but he wishes not to hurt national feeling—he knows the extreme delicacy of the subject—he generously passes it by without thinking of either the Berlin or Milan decrees; unfortunately, he stumbles upon two most awkward terms, “craft” and “cold blooded,” and thus the beauty and feeling of the whole passage are entirely lost.

After Irish Generosity, comes “*Irish Oratory*” again: here he seems quite at home—it was a refreshing subject—its fate had long since been decided on—he pants for a fresh attack—he summons up his strength and sinew—this unfortunate Speech comes in his way—like a trembling victim it stands before him, bright in its beauty, blooming in its youth, and warm in its pulse; this youth could not save, that beauty could not shelter it; he proceeds coolly, and, according to his school, begins by nibbling at words, drags it on through pages of cutting and maiming, offers a reviving draught, and talks of “undoubted talents.”

But, Sir, these are not the battles in which Irish Genius, Generosity, and Oratory are to perish—these are not the pages on which they can play—this is not the field in which they are to flourish—they must travel to other climes and other regions—and when they find the warmth of congenial souls play around, here let them rest, here let them be judged, here let them shelter in peace for ever.

Of Mr. Phillips I know nothing but his speech and his country; with the feeling of the one I can find myself associated; with the sorrows of the other I can feel myself a bondsman—both have been injured, insulted, and attacked. This speech I pretend not to eulogize, its character should have saved it; I pretend not to deny its faults, its beauties should have been remembered; to appreciate it fairly, we must consider its case and circumstances—the country where it was delivered, the hearers to whom it was addressed; it had a story of no common griefs to tell; a parent robbed of his wife, that wife robbed of her children; in the tissue of such a tale there is no mediocrity of sorrow; it had to speak in a country where such griefs were at least rare; it had to speak to those who have more hearts than heads; it was a simple story of feeling, a picture of real suffering; its temperature was high—its language belonged to passion; it needed no process of reasoning—no “lore of laws”—no logic of schools; it was a picture to paint, not a drawing to delineate; its effect belonged to the brush, not to the pencil; the colouring alone gave character and body; judgment was too heavy to abound, perception too hard; imagination was the principal ingredient necessary. Here passion could play, and feeling could speak, and agony could breathe out its stifling inspiration; here sorrow could shew its wounds, and pity could give its balm, sympathy could lend its sigh, and grief could give its energy; the cry of the orphan might here be heard, the bosom of the sire might here be opened, and when all these had offered their tender claims, and crowded around to tell their little stories, stern

Justice might look down from her frowning throne, and give to their tears the tribute of consolation; and who is there amongst us can resist such appeals? Who is there whose faded feelings would not bloom fresh in such tears? Who is there can be deaf or cold to such anguish?—Let him climb the steep of Torneo, and find shelter in its caves; let him tell his sorrows to the winds that play around; let woman's hallowed form show no track upon its snows; let man's social image give no shadow to its soil; let children be not heard, and let nature mourn. But, Sir, I will not believe it—though our country and our age speak more of philosophy than feeling, yet the language of the heart must ever come home to us; we must mix in its temperature; we must listen to its sad appeal, and this is a story of sadness itself, a lovely wife torn from her home and her children—that home rendered desolate—those children rendered orphans—her vows violated—her happiness wrecked—these orphans robbed of that tender bosom where once their little sorrows could be lulled to sleep, torn from the shelter of a mother's care, and asking in their innocence where that mother had fled; a wretched husband broken from his fondest tie—robbed of that charm which made life most dear to him—whose smiles were his light—whose cares were his pillow, and without whose beam his path was a pilgrimage; see his hollow figure wandering like a houseless mourner, wasting with his woes, and smiling “at his griefs”—clinging to that yet loved home as some dear ruin—stalking through its piles in the desolation of his widowhood, and hanging o'er his children in the tears of their orphanage; see a wretched adulterer polluting such a home, poisoning such happiness, bursting the bonds of such joy, breaking the visions of such bliss, and immolating the whole on his monstrous shrine.

Such was the picture this speech had to paint—such were its deep and mournful colours; in such pictures there ever must be faults, and this is not free from them—its colouring is in parts overcharged—its drapery somewhat turgid and exuberant—the images too redundant, and the sentences too long; we are too long, as it were, kept afloat without touching ground—Its alliterations by far too frequent and forced—alliteration to be sweet, must be sparingly used—like manna it soon becomes luscious, and palls our taste.

Such, perhaps, are its only faults; in such pictures there must be ever such faults, more or less—the imagery of sorrow must ever be full and flowing—it lives but in its shroud—it only moves by pointing to its wounds—it only breathes by letting out its anguish—it wears itself away in its own folds—it is ever turning in these folds to shew its bleeding corse. But, Sir, let us look to the beauties of this speech, and shall we not find many? perhaps the leading vice of Oratory, as Quintilian tells us, consists in its tendency to extremes: beauties and faults are closely connected by it, and the laws of sound taste are often offended, even in its finest flights; before us we must expect such, but our taste is never openly insulted—its faults belong to imagination, time will prune them away—its beauties are pre-eminent, but they will fall with the

others—its fullness of body and ripeness of colouring shew at once the genuine effort of eloquence—its glow of passion is pure and animated—its breathings of patriotism fine and simple—its temperature of feeling warm, but well judged—its blush of virtue sacred and sincere; we must mingle in its soul—we must grow fresh with its bloom of feeling—we must grow young with its play of fancy—we must share in its sorrows, and bless its pride of virtue—we must look to Ireland, and bless its pride of country. These are among its claims on us—these are among its beauties; and while we have hearts to grow warm, and affections to nourish, feelings to be delighted, and souls to be moved, they will give to their Author a monument of fame—they will give to his memory the tribute of our gratitude.

Is this then to be levelled at, beaten down, and abused by one solitary voice? Is there one Demophoon to be found in the circle where all around have been warmed and refreshed? Is it to be tried by the laws of Logicians, and measured by the rod of schoolmen? Is its fame to be blasted, and its fortune to perish under the lash of this cold-blooded Aristarchus? Is its patriotism to be insulted, its pride to be crushed, and its spirit to be broken? Is its Author to be dashed down the height it had given him? Is its country to be calumniated and mingled in its fate?

Unhappy and ill-fated land of my home—the more beloved, the more thou art in sorrow—the measure of thy woes is not yet filled—the quiver of thy slanderers has still its shafts—thou art still to be aimed at with mockery and scorn—thou art still to be mingled with the outcasts of thy shores—thy blood and thy tears flow on, they cannot save thee—their stream is as idle as the waves that play around—“craft” is to be added to thy crimes—crimes are to be added to thy misfortunes: when we think of thy virtues, we must look to the Indian—when we think of thy name, we must turn to the Moor; these virtues must be construed by barbarism—that name must be construed by bondage—thy gem is still yet clouded—thy star is yet to sink, and never will it beam in the Horizon of Nations till the light of thy genius break the spell that hangs around thee.

T. C. S.

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COURT OF COMMON PLEAS, DUBLIN.

THURSDAY, DECEMBER 12, 1816.

CREIGHTON v. TOWNSEND.

THIS was a special action on the case, brought by the Plaintiff, to recover compensation in damages for the seduction of his daughter by the Defendant, *per quod servilium amisit*. The Defendant pleaded the general issue. The damages were laid at 6000*l*. It was tried before LORD NORBURY and a special Jury.

MR. PHILLIPS addressed the Court and Jury, on behalf of the Plaintiff, in the following eloquent Speech :

My Lord and Gentlemen,---I am, with my learned brethren, Counsel for the Plaintiff. My friend, Mr. Curran, has told you the nature of the action. It has fallen to my lot to state more at large to you the aggression by which it has been occasioned. Believe me, it is with no paltry affectation of undervaluing my very humble powers, that I wish he had selected some more experienced, or at least less credulous advocate. I feel I cannot do my duty ; I am not fit to address you ; I have incapacitated myself. I know not whether any of the calumnies which have so industriously anticipated this trial, have reached your ears ; but I do confess they did so wound and poison mine, that to satisfy my doubts, I visited the house of misery and mourning, and the scene which set scepticism at rest has set description at defiance. Had I not yielded to those interested misrepresentations, I might from my brief have sketched the fact, and from my fancy drawn the consequences ; but as it is, reality rushes before my frightened memory, and silences the tongue, and mocks the imagination.---Believe me, Gentlemen, you are impannelled there upon no ordinary occasion ; nominally, indeed, you are to repair a private wrong, and it is a wrong as deadly as human wickedness can inflict, as human weakness can endure ; a wrong, which annihilates the hope of the parent and the happiness of the child ; which in one moment blights the fondest anticipations of the heart, and darkens the social hearth, and worse than depopulates the habitations of the happy ! But, Gentlemen, high as it is, this is far from your exclusive duty. You are to do much more. You are to say, whether an example of such transcendent turpitude is to stalk forth for public imitation---whether national morals are to have the law for their protection, or imported crime is to feed upon impunity ; whether

chastity and religion are still to be permitted to linger in this province, or it is to become one loathsome den of legalized prostitution--whether the sacred volume of the Gospel, and the venerable statutes of the Law, are still to be respected, or flung into the furnace of a devouring lust, or perhaps converted into a pedestal, on which the mob and the military are to erect the idol of a drunken adoration? Gentlemen, these are the questions you are to try; hear the facts on which your decision must be founded.

It is now about five-and-twenty years since the plaintiff, Mr. Creighton, commenced business as a slate merchant, in the city of Dublin. His vocation was humble, it is true, but it was nevertheless honest, and though, unlike his opponent, the heights of ambition lay not before him, the path of respectability did--he approved himself a good man, and a respectable citizen. Arrived at the age of manhood, he sought not the gratification of its natural desires by adultery or seduction. For him the home of honesty was sacred; for him the poor man's child was unassailed. No domestic desolation mourned his enjoyment; no anniversary of woe commemorated his achievements. From his own sphere of life naturally and honourably he selected a companion, whose beauty blessed his bed, and whose virtues consecrated his dwelling. Eleven lovely children blessed their union, the darlings of their heart, the delight of their evenings; and, as they blindly anticipated, the prop and solace of their approaching age. Oh! sacred wedded love! how dear, how delightful, how divine are thy enjoyments! Contentment crowns thy board; affection glads thy fireside; passion, chaste but ardent, modest but intense, sighs o'er thy couch, the atmosphere of Paradise! Surely, surely, if this consecrated rite can acquire from circumstances a factitious interest, 'tis when we see it cheering the poor man's home, or shedding over the dwelling of misfortune the light of its warm and lovely consolation. Unhappily, Gentlemen, it has that interest here. That capricious power which often dignifies the worthless hypocrite, as often wounds the industrious and the honest. The late ruinous contest, having in its career confounded all the proportions of society, and with its last gasp sighed famine and misfortune on the world, has cast my industrious client, with too many of his companions, from competence to penury. Alas, alas! to him it left the worst of its satellites behind it; it left the invader even of his misery, the seducer of his sacred and unspotted innocent. Mysterious Providence! was it not enough that sorrow robbed the happy home in mourning---was it not enough that disappointment preyed upon its lovely prospects---was it not enough that its little inmates cried in vain for bread, and heard no answer but the poor father's sigh, and drank no sustenance but the wretched mother's tears? Was this a time for passion, lawless, conscienceless, licentious passion, with its eye of lust, its heart of stone, its hand of rapine, to rush into the mournful sanctuary of misfortune, casting crime into the cup of woe, and rob the parents of their last wealth, their child; and rob the child of her only

charm, her innocence? That this has been done, I am instructed we shall prove. What requital it deserves, Gentlemen, you must prove to mankind.

The Defendant's name, I understand, is Townsend. He is of an age when every generous blossom of the spring should breathe an infant freshness round his heart; of a family which should inspire not only high but hereditary principles of honour; of a profession whose very essence is a stainless chivalry, and whose bought and bounden duty is the protection of the citizen. Such are the advantages with which he appears before you---fearful advantages, because they repel all possible suspicion; but, you will agree with me, most damning adversaries, if it shall appear that the generous ardour of his youth was chilled, that the noble inspiration of his birth was spurned, that the lofty impulse of his profession was despised, and all that could grace, or animate, or ennoble, was used to his own discredit, and his fellow creature's misery.

It was upon the 1st of June last, that on the banks of the canal, near Portobello, Lieut. Townsend first met the daughter of Mr. Creighton, a pretty interesting girl, scarcely 16 years of age. She was accompanied by her little sister, only four years old, with whom she was permitted to take a daily walk in that retired spot, the vicinity of her residence. The Defendant was attracted by her appearance; he left his party, and attempted to converse with her; she repelled his advances; he immediately seized her infant sister by the hand, whom he held as a kind of hostage for an introduction to his victim. A prepossessing appearance, a modesty of deportment apparently quite incompatible with any evil design; gradually silenced her alarm, and she answered the common-place questions with which on his way home he addressed her. Gentlemen, I admit it was an innocent imprudence; the rigid rules of matured morality should have repelled such communication; yet, perhaps, judging even by that strict standard, you will rather condemn the familiarity of the intrusion in a designing adult, than the facility of access in a creature of her age and her innocence. They thus separated, as she naturally supposed, to meet no more. Not such, however, was the determination of her destroyer. From that hour until her ruin he scarcely ever lost sight of her; he followed her as a shadow, he waylaid her in her walks, he interrupted her in her avocations, he haunted the street of her residence; if she refused to meet him, he paraded before her window, at the hazard of exposing her first comparatively innocent imprudence to her unconscious parents. How happy would it have been had she conquered the timidity so natural to her age, and appealed at once to their pardon and their protection! Gentlemen, this daily persecution continued for three months---for three successive months, by every art, by every persuasion, by every appeal to her vanity and her passions, did he toil for the destruction of this unfortunate young creature. I leave you to guess how many during that interval might have yielded to the blandishments of man, the fascinations of youth, the rarely resisted temptations of

opportunity. For three long months she did resist them. She would have resisted them for ever, but for an expedient which is without a model---but for an exploit which I trust in God will be without an imitation.---O yes! he might have returned to his country---and did he but reflect, he would rather have rejoiced at the virtuous triumph of his victim, than mourned his own soul-redeeming defeat---he might have returned to his country, and told the cold-blooded libellers of this land, that their speculations upon Irish chastity were prejudiced and proofless; that in the wreck of all else, we had retained our honour---that though the national luminary had descended for a season, the streaks of its loveliness still lingered on our horizon---that the nurse of that genius which abroad had redeemed the name, and dignified the nature of man, was to be found at home in the spirit without a stain, and the purity without a suspicion---he might have told them truly, that this did not result, as they would intimate, from the absence of passion, or the want of civilization---that it was the combined consequence of education, of example, and of impulse; and that, though in all the revelry of enjoyment, the fair floweret of the Irish soil exhaled its fragrance, and expanded its charms, in the chaste and blessed beams of a virtuous affection, still it shrunk with an instinctive sensitiveness from the gross pollution of an unconsecrated contact!

Gentlemen, the common artifices of the seducer failed; the siren tones with which sensuality awakens appetite, and lulls purity, had wasted themselves in air; and the intended victim, deaf to their fascination, moved along safe and untransformed. He soon saw, that, young as she was, the vulgar expedients of vice were ineffectual; that the attractions of a glittering exterior failed; and that, before she could be tempted to her sensual damnation, his tongue must learn, if not the words of wisdom, at least the speciousness of affected purity. He pretended an affection as virtuous as it was violent; he called God to witness the sincerity of his declarations; by all the vows which should for ever rivet the honourable, and could not fail to convince even the incredulous, he promised her marriage; over and over again he invoked the eternal denunciation if he was perfidious---to her acknowledged want of fortune, his constant reply was, that he had an independence; that all he wanted was beauty and virtue; that he saw she had the one---that he had proved she had the other. When she pleaded the obvious disparity of her birth, he answered, that he was himself only the son of an English farmer---that happiness was not the monopoly of rank or riches---that his parents would receive her as the child of their adoption---that he would cherish her as the charm of his existence. Specious as it was, even this did not succeed; she determined to await its avowal to those who had given her life, and who hoped to have made it immaculate by the education they had bestowed, and the example they had afforded. Some days after this, he met her in her walks; for she could not pass her parental threshold without being

intercepted. He asked her where she was going?—She said, a friend, knowing her fondness for books, had promised her the loan of some, and she was going to receive them. He told her he had abundance; that they were just at his house; that he hoped, after what had passed, she would feel no impropriety in accepting them. She was persuaded to accompany him. Arrived, however, at the door of his lodgings, she positively refused to go any farther; all his former artifices were redoubled; he called God to witness he considered her as his wife, and her character as dear to him as that of one of his sisters—he affected mortification at any suspicion of his purity—he told her, if she refused her confidence to his honourable affection, the little infant who accompanied her was an inviolable guarantee for her protection.

Gentlemen, this wretched child did suffer her credulity to repose on his professions. Her theory taught her to respect the honour of a soldier; her love repelled the imputation that debased its object; and her youthful innocence rendered her as incredulous as she was unconscious of criminality. At first his behaviour corresponded with his professions; he welcomed her to the home of which he hoped she would soon become the inseparable companion; he painted the future joys of their domestic felicity, and dwelt with peculiar complacency on some heraldic ornament which hung over his chimney-piece, and which, he said, was the armorial ensign of his family! Oh, my Lord, how well would it have been, had he but retraced the fountain of that document; had he recalled to mind the virtues it rewarded, the pure train of honours it associated, the line of spotless ancestry it distinguished, the high ambition its bequest inspired, the moral imitation it imperatively commanded! But when guilt once kindles within the human heart, all that is noble in our nature becomes parched and arid; the blush of modesty fades before its glare; the sighs of virtue fan its lucid flame, and every divine essence of our being but swells and exasperates its infernal conflagration.

Gentlemen, I will not disgust this audience; I will not debase myself by any description of the scene that followed; I will not detail the arts, the excitements, the promises, the pledges, with which deliberate lust inflamed the passions, and finally overpowered the struggles of innocence and of youth. It is too much to know, that tears could not appease, that misery could not affect—that the presence and the prayers of an infant could not awe him; and that the wretched victim, between the ardour of passion and the repose of love, sunk at length, inflamed, exhausted, and confiding, beneath the heartless grasp of an unsympathising sensuality. The appetite of the hour thus satiated, at a temporal, perhaps at an eternal hazard, he dismissed the sisters to their unconscious parents, not, however, without extorting a promise, that on the ensuing night Miss Creighton would desert her home for ever, for the arms of a fond, affectionate, and faithful husband. Faithful, alas! but only to his appetites—he did seduce her from that “sacred home,” to deeper guilt, to more deliberate cruelty!

After a suspense comparatively happy, her parents became acquainted with her irrevocable ruin. The miserable mother, supported by the mere strength of desperation, rushed half frenzied to the Castle, where Mr. Townsend was on duty—"Give me back my child!" was all she could articulate. The parental ruin struck the spoiler almost speechless. The few dreadful words, "I have your child," withered her heart up with the horrid joy that death denied its mercy; that her daughter lived, but lived also to infamy---she could neither speak nor hear---she sunk down, convulsed and powerless. As soon as she could recover to any thing of effort, naturally did she turn to the residence of Mr. Townsend---his orders had anticipated her---the sentinel refused her entrance---she told her sad narration, she implored his pity---with the eloquence of grief, she asked him, had he a home, or wife, or children? "Oh, holy Nature! thou didst not plead in vain!" even the rude soldier's heart relented. He admitted her by stealth, and she once more held within her arms the darling hope of many an anxious hour---duped---desolate---degraded, it was true---but still her child. Gentlemen, if the parental heart cannot suppose what followed, how little adequate am I to paint it. Home this wretched creature could not return; a seducer's mandate and a father's anger equally forbade it. But she gave whatever consolation she was capable; she told the fatal tale of her undoing; the hopes, the promises, the studied specious arts that had seduced her; and, with a desperate credulity, still watched the light that, glimmering in the distant vista of her love, mocked her with hope, and was to leave her to the tempest. To all the reproaches of maternal anguish, she would still reply, "Oh no; in the eye of Heaven he is my husband; he took me from my home, my happiness, and you; but still he pledged to me a soldier's honour; but he assured me with a Christian's conscience; for three long months I heard his vows of love; he is honourable, and will not deceive; he is human, and cannot desert me." Hear, Gentlemen, hear, I beseech you, how this innocent confidence was returned. When her indignant father had resorted to Lord Forbes, the commander of the forces, and to the noble and learned head of this Court, both of whom received him with a sympathy that did them honour, Mr. Townsend sent a brother officer to inform her she must quit his residence, and take lodgings; in vain she remonstrated, in vain reminded him of her former purity, and the promises that betrayed it. She was literally turned out at night-fall, to find whatever refuge the God of the shelterless might provide for her! Deserted and disowned, how naturally did she turn to the once happy home whose inmates she had disgraced, and whose protection she had forfeited! How naturally did she think the once familiar and once welcome avenues looked frowning as she passed! how naturally did she linger, like a reposeless spectre, round the memorials of her living happiness! Her heart failed her---where a parent's smile had ever cheered her, she could not face the glance of shame, or sorrow, or disdain---she returned

to seek her seducer's pity, even till the morning. Good God! how can I disclose it? The very guard had orders to refuse her access; even by the rabble soldiery, she was cast into the street, amid the night's dark horrors, the victim of her own credulity, the outcast of another's crime, to seal her guilty woes with suicide, or lead a living death amid the tainted sepulchres of a promiscuous prostitution! Far, far am I from sorry that it was so. Horrible beyond thought as is this aggravation, I only hear in it the voice of the Deity in thunder upon the crime. Yes, yes, it is the present God, arming the vicious agent against the vice, and terrifying from its conception by the turpitude to which it may lead. But what aggravation does seduction need? Vice is its essence, lust its end, hypocrisy its instrument, and innocence its victim. Must I detail its miseries? Who depopulates the home of virtue, making the child an orphan, and the parent childless? Who wrests its crutch from the tottering helplessness of piteous age? Who wrings its happiness from the heart of youth? Who shocks the vision of the public eye? Who infects your very thoroughfares with disease, disgust, obscenity and profaneness? Who pollutes the harmless scenes where modesty resorts for mirth, and toil for recreation, with sights that stain the pure, and shock the sensitive? Are these the phrases of an interested advocacy? Is there one amongst you but has witnessed their verification? Is there one amongst you so fortunate or secluded as not to have wept over the wreck of health and youth, and loveliness, and talent, the fatal trophies of the seducer's triumph? Some form, perhaps, where every grace was squandered, and every beauty paused to waste its bloom, and every beam of mind, and tone of melody, poured their profusion upon the public wonder; all that a parent's prayer could ask, or lover's adoration fancy; in whom every pollution looked so lovely, that virtue would have made her more than human! Is there an epithet too vile for such a spoiler? Is there a punishment too severe for such depravity? I know not upon what complaisance this English seducer may calculate from a Jury of this country; I know not, indeed, whether he may not think he does your wives and daughters some honour by their contamination. But I know well what a reception he would experience from a Jury of his own country. I know that in such general execration do they view this crime, they think no possible plea a palliation. No, not the mature age of the seduced, not her previous protracted absence from her parents, not a levity approaching almost to absolute guilt, not an indiscretion in the mother, that bore every colour of connivance; and in this opinion they have been supported by all the venerable authorities with whom age, integrity, and learning, have adorned the judgment seat.

Gentlemen, I come armed with these authorities in the case of *Tullidge v. Wade*. My Lord, it appeared the person seduced was thirty years of age, and long absent from home; yet, on a motion to set aside the verdict for excessive damages, what was

the language of Chief Justice Wilmot? "I regret," said he, "that they were not greater; though the Plaintiff's loss did not amount to twenty shillings, the Jury were right in giving ample damages, because such actions should be encouraged for example's sake." Justice Clive wished they had given twice the sum, and in this opinion the whole Bench concurred. There was a case where the girl was of a mature age, and living apart from her parents. Here the victim is almost a child, and was never for a moment separated from her home. Again, in the case of "Bennett against Alcott," on a similar motion, grounded on the apparently overwhelming fact, that the mother of the girl had actually sent the defendant into her daughter's bed-chamber, where the criminality occurred. Justice Buller declared, "he thought the parent's indiscretion no excuse for the defendant's culpability;" and the verdict of 200*l.* damages was confirmed. There was a case of literal connivance—here will they have the hardihood to hint even its suspicion? You all must remember, Gentlemen, the case of our own countryman, Captain Gore, against whom, only the other day, an English Jury gave a verdict of 1500*l.* damages, though it was proved, that the person alleged to have been seduced was herself the seducer, going even so far as to throw gravel up at the windows of the Defendant; yet Lord Ellenborough refused to disturb the verdict. Thus you may see I rest not on my own proofless and unsupported dictum; I rely upon grave decisions and venerable authorities; not only on the indignant denunciation of the moment, but on the deliberate concurrence of the enlightened and the dispassionate. I see my learned opponent smile. I tell him, I would not care if the books were an absolute blank upon the subject. I would then make *the human heart* my authority. I would appeal to the bosom of every man who hears me, whether such a crime should grow unpunished into a precedent—whether innocence should be made the subject of a brutal speculation. What damages should you give here, where there is nothing to excuse—where there is every thing to aggravate? The seduction was deliberate, it was three months in progress, its victim was almost a child; it was committed under the most alluring promises, it was followed by a deed of the most dreadful cruelty: but, above all, it was the act of a man commissioned by his own country, and paid by this, for the enforcement of the laws, and the preservation of society. No man more respects than I do, the well-earned reputation of the British Army,

"It is a school
Where every principle tending to honour
Is taught—if followed."

But in the name of that distinguished army, I here solemnly appeal against an act, which would blight its greenest laurels, and leave their trophies prostrate in the dust. Let them war, but be it not on domestic happiness; let them invade, but be

their country's hearths inviolate; let them achieve a triumph wherever their banners fly, but be it not over morals, innocence, and virtue. I know not by what palliation the Defendant means to mitigate this enormity:---will he plead her youth? it should have been her protection. Will he plead her levity? I deny the fact; but even were it true, what is it to him? What right has any man to speculate on the temperature of your wives and your daughters, that he may defile your bed, or desolate your habitation? Will he plead poverty? I never knew a seducer, or an adulterer, that did not. What! shall the sacred seal of filial obedience, upon which the Almighty Parent has affixed his eternal fiat, be violated with impunity by blasphemous and selfish libertinism!

Gentlemen, if the cases I have quoted, palliated as they were, have been humanely marked by ample damages, he should have considered that before. But is poverty an excuse for crime? Our law says, he who has not a purse to pay for it, must suffer for it in his person. It is a most wise declaration; and for my part, I never hear such a person plead poverty, that my first emotion is not a thanksgiving, that Providence has denied, at least, the instrumentality of wealth to the accomplishment of his purposes. Gentlemen, I see you agree with me. I wave the topic, and I again tell you, that if what I know will be his chief defence, were true, it should avail him nothing. He had no right to speculate on this wretched creature's levity, to ruin her, and still less to ruin her family. Remember, however, Gentlemen, that even had this wretched child been indiscreet, it is not in her name we ask the reparation; no, it is in the name of the parents, her seducer has heart-broken; it is in the name of the poor helpless family he has desolated, it is in the name of that misery whose sanctuary he has violated; it is in the name of law, virtue, and morality; it is in the name of that country, whose fair fame foreign envy will make responsible for this crime; it is in the name of nature's dearest, tenderest sympathies; it is in the name of all that gives your toil an object, and your ease a charm, and your age a hope, I ask from you the value of *the poor man's child*.

When Mr. PHILLIPS had concluded, a burst of applause proceeded from the auditory, in which the Bar and Court warmly joined.

CATHERINE CREIGHTON, the Plaintiff's daughter, was sixteen years of age on the 5th of this month; she was the female seduced, and was the only witness examined for the prosecution. The Plaintiff was a slate merchant, he had lately been in embarrassed circumstances, his family consisted of nine children. The Defendant was about twenty years of age, and a Lieutenant in the 41st Regiment, quartered in George's-street barracks,

Dublin. The Witness was walking with her little sister, of four years old, on the bank of the canal, beyond Portobello, in June last; and, for the first time, met Lieutenant Townsend, who accosted her, and asked permission to see her home. This she refused, parted from him, and returned home; she saw him about a week afterwards in Nassau-street; they saluted, but had no further communication at that time. Between this period and the month of August, Miss Creighton scarcely ever went out without meeting and walking with the Defendant; and she swore, that at these interviews he constantly spoke of marriage, and expressed a determination to make her his wife. On the evening of Sunday, the 1st of September last, between seven and eight o'clock, she was going to Abbey-street, in company with the little sister already mentioned, to borrow some books, she met the Defendant, who caught her hand, asked where she was going, and on being informed, said he could give her books; and that he wished her to see his apartments, which were to be her's, that she might ascertain whether they would answer for their residence when they should be married. Having satisfied her scruples, and induced her to place firm reliance on his honour, he finally prevailed upon her to accompany him to his rooms in George's-street barracks, where the seduction was effected. She returned home that night, but left it the next, at the solicitation of the Defendant, with whom she remained until the following Thursday, when her father, having discovered where she was (for he had been kept ignorant all along of her intimacy with Lieutenant Townsend), applied to the commander of the forces, Lord Forbes. The Defendant becoming alarmed in consequence of that application, at a late hour in the evening, turned her out into the street, and abandoned her. His apology for thus cruelly treating her, was, that *his lawyers* informed him he had acted wrong. When her seducer informed her of his purpose, she remonstrated, but in vain; in an agony of distress, she besought his mercy; she reminded him that she was his victim; that under a promise of marriage, which she believed, he had seduced her from her father's house; and she could now only look to her seducer for protection. To this appeal to the Defendant's compassion, he replied by an oath, saying, "*By J---s she should continue no longer in his apartments.*" It was then past nine o'clock; the drums had beaten; she wept bitterly; she became distracted; she had no alternative left. A Captain Hill of the same regiment saw her out of the barracks, and threw a 5l. note into her lap. She proceeded from George's-street to her father's house, but was afraid to ask admission; she returned again to the barracks to implore the Defendant's protection until morning. She prevailed on one of the soldiers on guard to deliver the Defendant a message, telling him, she was at the gate, and praying him to shelter her for that night only—he refused her solicitation. In this extremity of suffering, she prayed to the Almighty to direct her, and she

again went back to her father's house, where an old woman, who was preparing to go to bed, opened the door, and let her in. From that period she continued to live under the protection of her mother. Her father had never seen her since.

The Defendant set up a defence, in which he attempted to prove, that the unhappy girl had been guilty of acts of levity previous to her seduction; but in this he failed, notwithstanding she underwent a cross-examination of at least two hours, during most of which time she was in tears, and excited great pity and compassion.

Verdict for the Plaintiff---DAMAGES 750l. AND COSTS.

[The unbounded license, *which the law does not permit*, but is taken by Counsel, in the cross-examination of Witnesses, in this country, is an abuse calling loudly on our Judges for reform. Plaintiffs are often deterred from appealing to trial by Jury for a redress of wrongs, from perhaps a very just impression, that, by going into Court, "they should leave their characters behind them."—*Dublin Evening Post.*]

THE END.

MR. PHILLIPS'S SPEECHES, &c.

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Vide Lord Sidmouth's Correspondence.

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LINES ON THE DEATH OF ————. From the Morning Chronicle of Monday, August 5, 1816, which was instantly bought up.

* * This extraordinary Poem is ascribed to a Personage of the highest Poetical Talent.

DR. BUSBY ON EDUCATION.

IMPORTANT QUESTION: WHAT WOULD BE THE PROPER SYSTEM of EDUCATION for the SONS of BRITONS? a Letter written and addressed to the Right Hon. MATTHEW WOOD, Lord Mayor of the City of London. By THOMAS BUSBY, Mus. Doc.

ALGERINE PIRACY.

The CRUELITIES of the ALGERINE PIRATES to ENGLISH SLAVES, &c. in 1816, duly authenticated. By Captain WALTER CROKER, of H.M.S. Wizard, &c. With two engraved Scenes of the Miseries of Christian Slavery, witnessed by Captain Croker, at Algiers, in July, 1815. FOURTH EDITION.

* * The facts from this excellent Tract were quoted in Parliament, and led to the Service so gallantly achieved by Lord Exmouth. It is at this moment a pamphlet of unusual interest.

THE SPEECH, &c.

ON Thursday, the 31st of October, 1816, a Dinner was given by the Friends of Freedom, in Liverpool, to CHARLES PHILLIPS, Esq. the celebrated Irish Barrister, on his passing through that town from London to Ireland.

The Rev. WILLIAM SHEPHERD took the *Chair*, and, after several national toasts, proposed, "The Man whose early and persevering exertions were the main cause we can now drink the Town and Trade of Liverpool without a blush—Mr. ROSCOE," which was drank with three times three and rapturous applause, and Mr. Roscoe, jun. returned thanks for the honour done his father.

The CHAIRMAN, in an excellent speech, emphatically observed—"We are assembled for the purpose of paying our tribute of respectful esteem to resplendent talent, enlisted on the side of liberal principles.—(*Loud applauses.*) And, Gentlemen," said he, "permit me to remark, that in thus entering as a volunteer into the ranks of the friends of freedom, my worthy friend is entitled to a higher meed of praise than may be conceded to him by the cursory view of an ordinary apprehension. Mr. Phillips must excuse me when I observe, that the practice of the law, leading the professor to tread in the narrow path of precedent, and also making him early conversant with the worst obliquities of the human character, has a direct tendency to contract the intellect, and to compress and indurate the heart. The profession of the law, too, has its peculiar temptations, too well calculated to lead a person astray from the path of political integrity. We all know, that Solicitor Generalships, Attorney Generalships, and Chief Justiceships, shine with dazzling lustre before the eye of the aspirant, and, in many cases, render him blind to the perception of political truth.—Thickly as these temptations are sown in our own country, they are still more thickly sown in Ireland. There they abound in rank and noxious luxuriance, of every species, and of every gradation of magnitude, from the office of Police Barrister of the province, to the ermine of the Lord Chancellor, as displayed amidst the splendours of the metropolis. And believe me, Gentlemen, when, to use the words of the poetess,

"Purses and maces swim before the sight,"

it too often happens that youthful ambition is led astray, and that even the ingenuous are seduced to desert the ranks of the people, and to herd with the tools and minions of power. How fondly then ought we to cherish,

how highly to prize, that liberality of principle which enables the mind of my worthy friend still to excurse through the wide field of philosophical investigation—how must we admire that noble ardour which opens his breast to the inspiration of the Muse (*Applause*) and which expands his heart so as to take a generous interest in the welfare of the whole human race (*Loud Applauses.*)

The Chairman concluded his Speech, by proposing—
“Health, Prosperity, and Happiness to COUNSELLOR PHILLIPS.”

After the applause excited by this toast had subsided, Mr. PHILLIPS rose, and addressed the Meeting as follows:—

“Believe me, Mr. Chairman, I feel too sensibly the high and unmerited compliment you have paid me, to attempt any other return than the simple expression of my gratitude—to be just, I must be silent; but though the tongue is mute, the heart is much more than eloquent. The kindness of friendship—the testimony of any class, however humble, carries with it no trifling gratification—but stranger as I am, to be so distinguished in this great town, whose wealth is its least recommendation—the emporium of commerce, liberality, and public spirit—the birth-place of talent—the residence of integrity—the field where freedom seems to have rallied the last allies of her cause, as if, with the noble consciousness that though patriotism could not wreath the laurel round her brow, genius should at least raise it over her ashes—to be so distinguished, Sir, and in such a place, does, I confess, inspire me with a vanity which even a sense of my unimportance cannot entirely silence. Indeed, Sir, the ministerial critics of Liverpool were right. I have no claim to this enthusiastic welcome. But I cannot look upon this testimonial, so much a tribute to myself, as an omen to that country with whose fortunes the dearest sympathies of my soul are intertwined. Oh! yes, I do foresee when she shall hear with what courtesy her most pretentionless advocate has been treated, how the same wind that wafts her the intelligence, will revive that flame within her, which the blood of ages has not been able to extinguish. It may be a delusive hope, but I am glad to grasp at any phantom that flits across the solitude of that country’s desolation. On this subject you can scarcely be ignorant, for you have an Irishman resident amongst you, whom I am proud to call my friend—whose fidelity to Ireland no absence can diminish—who has at once the honesty to be candid, and the talent to be convincing. I need scarcely say I allude to Mr. Casey—I knew, Sir, the statue was too striking to

require a name upon the pedestal. Alas! Ireland has little now to console her, except the consciousness of having produced such men. It would be a treasonable adulation in me to deceive you. Six centuries of base misgovernment—of causeless, ruthless, and ungrateful persecution, have now reduced that country to a crisis, at which, I know not whether the friend of humanity has most cause to grieve, or to rejoice; because I am not sure that the same feeling which prompts the tear at human sufferings, ought not to triumph in that increased infliction which may at length tire them out of endurance. I trust in God a change of system may in time anticipate the results of desperation; but you may quite depend on it, a period is approaching when, if penalty does not pause in the pursuit, patience will turn short on the pursuer. Can you wonder at it?—Contemplate Ireland during any given period of England's rule, and what a picture does she exhibit!—Behold her created in all the prodigality of nature—with a soil that anticipates the husbandman's desires—with harbours courting the commerce of the world—with rivers capable of the most effective navigation—with the ore of every metal struggling through her surface—with a people, brave, generous, and intellectual, literally forcing their way through the disabilities of their own country, into the highest stations of every other; and well rewarding the policy that promotes them, by achievements the most heroic, and allegiance without a blemish. How have the successive governments of England demeaned themselves to a nation, offering such an accumulation of moral and political advantages!—See it in the state of Ireland at this instant—in the universal bankruptcy that overwhelms her—in the loss of her trade—in the annihilation of her manufactures—in the deluge of her debt—in the divisions of her people—in all the loathsome operations of an odious, monopolizing, hypocritical fanaticism on the one hand, wrestling with the untiring but natural reprisals of an irritated population on the other! It required no common ingenuity to reduce such a country to such a situation. But it has been done—man has conquered the beneficence of the Deity—his harpy touch has changed the viands to corruption, and that land, which you might have possessed in health, and wealth, and vigour, to support you in your hour of need, now writhes in the agonies of death, unable even to lift the shroud with which famine and fatuity try to encumber her convulsions! This is what I see a pensioned press denominates tranquillity!—Oh! woe to the land threatened with such tranquillity!—*solitudinem faciunt, pacem appellant*—

it is not yet the tranquillity of solitude—it is not yet the tranquillity of death—but if you would know what it is, go forth in the silence of creation—when every wind is hushed, and every echo mute, and all nature seems to listen in dumb, and terrified, and breathless expectation—go forth in such an hour, and see the terrible tranquillity by which you are surrounded! How could it be otherwise—when for ages upon ages, invention has fatigued itself with expedients for irritation—when, as I have read with horror in the progress of my legal studies, the homicide of a “mere Irishman” was considered justifiable; and, when his ignorance was the origin of all his crimes, his education was prohibited by *Act of Parliament*!—when the people were worm-eaten by the odious vermin which a Church and State adultery had spawned—when a bad heart and brainless head were the fangs by which every foreign adventurer and domestic traitor fastened upon office—when the property of the native was but an invitation to plunder, and his non-acquiescence the signal for confiscation—when religion itself was made the odious pretence for every persecution, and the fires of hell were alternately lighted with the cross, and quenched in the blood of its defenceless followers! I speak of times that are passed: but can their recollections—can their consequences be so readily eradicated? Why, however, should I refer to periods that are distant? Behold, at this instant, five millions of her people disqualified on account of their faith—and that by a country professing freedom! and that under a Government calling itself Christian!—You (when I say you, of course I mean, not the high-minded people of England, but the men who misgovern us both) seem to have taken out a roving commission in search of grievances abroad, whilst you overlook the calamities at your own door, and of your own infliction. You traverse the ocean to emancipate the African—you cross the line to convert the Hindoo—you hurl your thunder against the savage Algerine—but your own brethren at home, who speak the same tongue, acknowledge the same King, and kneel to the same God, cannot get one visit from *your itinerant humanity*! Oh! such a system is almost too abominable for a name—it is a monster of impiety, impolicy, ingratitude, and injustice!—The Pagan nations of antiquity scarcely acted on such barbarous principles. Look to ancient Rome, with her sword in one hand and her constitution in the other, healing the injuries of conquest with the embrace of brotherhood, and wisely converting the captive into the citizen. Look to her great enemy, the glorious Cartha-

ginian, at the foot of the Alps, ranging his prisoners round him, and by the politic option of captivity or arms, recruiting his legions with the very men whom he had literally conquered into gratitude! They laid their foundations deep in the human heart, and their success was proportionate to their policy. You complain of the violence of the Irish Catholic—*can you wonder he is violent?* It is the consequence of your own infliction—

“The flesh will quiver where the pincers tear,

“The blood will follow where the knife is driven.”

Your friendship has been to him worse than hostility—he feels its embrace but by the pressure of his fetters! I am only amazed he is not much more violent. He fills your exchequer, he fights your battles, he feeds your clergy, from whom he derives no benefit, he shares your burdens, he shares your perils, he shares every thing, except your privileges—*can you wonder he is violent?* No matter what his merit, no matter what his claims, no matter what his services; he sees himself a nominal subject and a real slave; and his children the heirs, perhaps of his toils, perhaps of his talents; certainly of his disqualifications:—*can you wonder he is violent?* He sees every pretended obstacle to his emancipation vanished—Catholic Europe your ally, the Bourbon on the throne, the Emperor a captive, the Pope a friend; the aspersions on his faith disproved by his allegiance to you against, alternately, every Catholic Potentate in Christendom, and he feels himself branded with hereditary degradation—*can you wonder, then, that he is violent?* He petitioned humbly—his tameness was construed into a proof of apathy. He petitioned boldly—his remonstrance was considered as an impudent audacity. He petitioned in peace—he was told it was *not the time*. He petitioned in war—he was told it was *not the time*. A strange interval—a prodigy in politics, a pause between peace and war, which appeared to be just made for him, arose—I allude to the period between the retreat of Louis and the restoration of Bonaparte—he petitioned then, and he was told it was *not the time*. Oh, shame! shame! shame! I hope he will petition no more a Parliament so equivocating. However, I am not sorry they did so equivocate, because, I think, they have suggested one common remedy for the grievances of both countries, and that remedy is, a REFORM OF THAT PARLIAMENT. Without that, I plainly see, there is no hope for Ireland—there is no salvation for England; they will act towards you as they have done towards us—they will admit your reasoning—they will admire your eloquence—

and they will prove their sincerity by a strict perseverance in the impolicy you have exposed, and the profligacy you have deprecated. Look to England at this moment. To what a state have they not reduced her! Over this vast island, for whose wealth the winds of Heaven seemed to blow, covered as she once was with the gorgeous mantle of successful agriculture, all studded over with the gems of art and manufacture, there is now scarce an object but industry in rags, and patience in despair—the merchant without a ledger—the fields without a harvest—the shops without a customer—the Exchange deserted, and the Gazette crowded, form the heart-rending comments on that nefarious system, in support of which, peers and contractors, stock-jobbers and sinecurists, in short, the whole trained, collared, pampered, and rapacious pack of ministerial beagles, have been, for half a century, in the most clamorous and discordant uproar! During all this misery how are the pilots of the state employed? Why, in feeding the bloated mammoth of sinecure—in weighing the farthings of some underling's salary—in preparing Ireland for a garrison, and England for a poor-house—in the structure of Chinese palaces, the decoration of dragoons, and the erection of public buildings! Oh! it's easily seen we have a "saint" in the Exchequer; he has studied scripture to some purpose—the famishing people cry out for *bread*, and the scriptural Minister gives them *stones*! Such has been the result of the blessed Pitt system, which, amidst oceans of blood, and eight hundred millions expenditure, has left you, after all your victories, a triumphant dupe—a trophied bankrupt! I have heard before of States ruined by the visitations of Providence, devastated by famine, wasted by fire, overcome by enemies; but never until now did I see a State, like England, impoverished by her spoils and conquered by her successes! She has fought the fight of Europe—she has purchased all its *coinable blood*—she has subsidized all its dependencies in their own cause—she has conquered by sea—she has conquered by land—she has got peace, and of course, or the Pitt apostles would not have made peace, she has got her "indemnity for the past, and security for the future;"—and here she is, after all her vanity and all her victories, surrounded by desolation, like one of the pyramids of Egypt, amid the grandeur of the desert, full of magnificence and death—at once a trophy and a tomb! The heart of any reflecting man must burn within him when he thinks that the war, thus sanguinary in its operations, thus confessedly ruinous in its expenditure, was even still more odious in its principle. It was a war avowedly under-

taken for the purpose of forcing France out of her undoubted right of choosing her own monarch; a war which uprooted the very foundations of the English Constitution—which libelled the most glorious era in our national annals—which declared tyranny eternal, and announced to the people, amid the thunder of artillery, that, no matter how aggrieved, their only allowable attitude was that of supplication—which, when it told the French reformer of 1793 that his defeat was just, told the British reformer of 1688 his triumph was treason, and exhibited to history the terrific farce of a Prince of the House of Brunswick, the creature of the revolution, OFFERING AN HUMAN HECATOMB UPON THE GRAVE OF JAMES the SECOND!—What else have you done? You have succeeded, indeed, in dethroning Napoleon, and you have dethroned a monarch, who, with all his imputed crimes and vices, shed a splendour around royalty, too powerful for the feeble vision of legitimacy even to bear. He had many faults—I do not seek to palliate them. He deserted his principles—I rejoice that he has suffered. But still let us be generous even in our enmities. How grand was his march! How magnificent his destiny! Say what we will, Sir, he will be the landmark of our times in the eye of posterity. The goal of other men's speed was his starting post—crowns were his play-things—thrones his footstool—he strode from victory to victory—his path was “a plane of continued elevations.” Surpassing the boast of the too confident Roman, he but stamped upon the earth, and not only armed men, but states and dynasties, and arts and sciences, all that mind could imagine, or industry produce, started up, the creation of enchantment. He is fallen—as the late Mr. Whitbread said, “you made him, and he unmade himself,”—his own ambition was his glorious conqueror. He attempted, with a sublime audacity, to grasp the fires of heaven, and his heathen retribution has been the vulture and the rock! I do not ask what you have gained by it, because in place of gaining any thing, you are infinitely worse than when you commenced the contest: but what have you done for Europe? what have you achieved for man? Have morals been ameliorated? has liberty been strengthened? has any one improvement in politics or philosophy been produced? Let us see how. You have restored to Portugal a prince of whom we know nothing, except that when his dominions were invaded, his people distracted, his crown in danger, and all that could interest the highest energies of man at issue, he left his cause to be combated by foreign bayonets, and fled with a dastard

precipitation to the shameful security of a distant hemisphere! You have restored to Spain a wretch of even worse than proverbial princely ingratitude; who filled his dungeons, and fed his rack, with the heroic remnant that had braved war, and famine, and massacre beneath his banners; who rewarded patriotism with the prison—fidelity with the torture—heroism with the scaffold—and piety with the inquisition; whose royalty was published by the signature of his death-warrants, and whose religion evaporated *in the embroidering of petticoats for the blessed Virgin!* You have forced upon France a family to whom misfortune could not teach mercy, or experience wisdom; vindictive in prosperity—servile in defeat—timid in the field—vacillating in the cabinet—suspicion amongst themselves—discontent amongst their followers—their memories tenacious but of the punishments they had provoked, their piety active but in subserviency to their priesthood, and their power passive but in the subjugation of their people! Such are the dynasties you have conferred on Europe. In the very act, that of ex-throning three individuals of the same family, you have committed in politics a capital error; but Providence has countermined the ruin you were preparing, and whilst their impolicy prevents the chance, their impotency precludes the danger of a coalition. As to the rest of Europe, how has it been ameliorated? what solitary benefit have the “deliverers” conferred? They have partitioned the States of the feeble to feed the rapacity of the powerful; and after having alternately adored and deserted Napoleon, they have wreaked their vengeance on the noble but unfortunate fidelity that spurned their example! Do you want proofs?—look to Saxony—look to Genoa—look to Norway—but, above all, to Poland! That speaking monument of regal murder and legitimate robbery:—

Oh! bloodiest picture in the book of time—
Sarmatia fell—unwept—without a crime!

Here was an opportunity to recompence that brave, heroic, generous, martyred, and devoted people—here was an opportunity to convince Jacobinism that crowns and crimes were not, of course, co-existent, and that the highway rapacity of one generation might be atoned by the penitential retribution of another!—Look to Italy: parcelled out to temporizing Austria—the land of the muse, the historian, and the hero—the scene of every classic recollection—the sacred fane of antiquity, where the genius of the world weeps and worships, and the spirits of the past start into life at the inspiring pilgrimage of

some kindred Roar. (*tremendous applause.*) You do yourselves honour by this noble, this natural enthusiasm. Long may you enjoy the pleasure of possessing, never can you loose the pride of having produced the SCHOLAR, without pedantry—the PATRIOT, without reproach—the CHRISTIAN, without superstition—the MAN, without blemish. It is a subject I could dwell on with delight for ever. How painful our transition to the disgusting path of the deliverers! Look to Prussia, after fruitless toil and wreathless triumphs, mocked with the promise of a visionary constitution. Look to France, chained and plundered, weeping over the tomb of her hopes and her heroes. Look to England, eaten by the cancer of an incurable debt—exhausted by poor rates—supporting a civil list of near a million and a half, annual amount—guarded by a standing army of 140,000 men, misrepresented by a House of Commons, ninety of whose Members in places and pensions, derive 200,000*l.* in yearly emoluments from the Minister—mocked with a military peace, and girt with the fortifications of a war establishment! Shades of heroic millions!—these are thy achievements! MON-ARCH OF LEGITIMACY!—this is thy consummation!!! The past is out of our power: it is high time to provide against the future. Retrenchment and reform are now become not only expedient for our prosperity, but necessary to our very existence. Can any man of sense say that the present system should continue? What! When war and peace have alternately thrown every family in the empire into mourning and poverty, shall the fat-tened tax-gatherer extort the starving manufacturer's last shilling, to swell the unmerited and enormous sinecure of some wealthy pauper? Shall a Borough-mongering faction convert what is misnamed the national representation, into a mere instrument for raising the supplies which are to gorge its own venality? Shall the mock dignitaries of Whiggism and Toryism, lead their hungry retainers to contest the profits of an alternate ascendancy over the prostrate interests of a too generous people? These are questions which I blush to ask— which I shudder to think must be either answered by the Parliament or the people. Let our rulers prudently avert the interrogation. We live in times when the slightest remonstrance should command attention—when the minutest speck that merely dots the edge of the political horizon, may be the car of the approaching spirit of the storm! Oh! they are times whose omen no fancied security can avert; times of the most awful and portentous admonition. Establishments the most solid, thrones the most ancient, coalitions the most powerful,

have crumbled before our eyes, and the creature of a moment, robed and crowned, and sceptred, raised his fairy creation on their ruins! The warning has been given; may it not have been given in vain!

I feel, Sir, that the magnitude of the topics I have touched, and the imminency of the perils which seem to surround us, have led me far beyond the limits of a convivial meeting. I see I have my apology in your indulgence. But I cannot prevail on myself to trespass further. Accept again, Gentlemen, my most grateful acknowledgments. Never, never can I forget this day: in private life, it shall be the companion of my solitude; and, if in the caprices of that fortune which will at times degrade the high and dignify the humble, I should be hereafter called to any station of responsibility, I think I may at least fearlessly promise the friends who thus crowd around me, that no act of mine shall ever raise a blush at the recollection of their early encouragement. I hope, however, the benefit of this day will not be confined to the humble individual you have so honoured; I hope it will cheer on the young aspirants after virtuous fame in both our countries, by proving to them, that, however, for the moment, envy, or ignorance, or corruption, may depreciate them, there is a reward in store for the man who thinks with integrity and acts with decision.—Gentlemen, you will add to the obligations you have already conferred, by delegating to me the honour of proposing to you the health of a man, whose virtues adorn, and whose talents powerfully advocate, our cause—I mean the health of your worthy Chairman.”

It would be impossible to convey an adequate idea of the fascinating effect produced by the admirable speech of Mr. Phillips, in which all the graces of action and delivery were combined with the most beautiful imagery. The meeting became alternately silent in astonishment, and rapturous in admiration.

The toasts and sentiments were numerous and appropriate.

Mr. CASEY, the *Vice-President*, on his health being drank with three times three, commenced an able speech by bearing testimony to the propriety of the tribute offered by Mr. Phillips to Mr. Roscoe; and the worthy Vice-President, in remarking on the state of the sister Kingdom, said, “You have proffered an immense army the peace-offering to Ireland! As a subject of Britain, your dominion covers me with shame—and as an Irishman, it drives me to madness. This country has been led into these tremendous sacrifices by a wicked as well as a mistaken policy, and they have been induced to

continue them, by the hollow assurances, that, when peace arrived, your country would teem with abundance—you would then have ample leisure to renovate your institutions. Of late the cant of the Minister has been the necessary splendour of the Crown; but preferring honour before splendour, and country to every thing, I hope the nation will call upon the Regent to shame his Ministers into submission, for he cannot shame them into any thing else, by a noble sacrifice to the public distresses. Possessing an atom of sensibility, were he acquainted with a tithe of the public sufferings and privations, he would rather pawn his Crown than ask his country for another shilling. Let the Regent tell his Ministers, and do you tell the Regent, that what is kept of the public money, must be kept for exigence and not for show. Approach him with manliness, but with the deferential regard that is due from an enlightened and polished nation to the first Magistrate of a free people—tell him that whatever his hollow advisers may say of the necessary splendour of the Crown, or the glittering ensigns and trappings of royalty, pity on the part of the Prince, for the sufferings of his people, is the brightest jewel that ever gleamed in the imperial diadem. From his servants I look for nothing—they are the slaves of power—they are the slaves of their own base desires—they will not—they dare not, admonish their master of the wretched condition of his subjects; for the pleasures of the Court, or the superb follies of the Pavilion, must not be interrupted by the low and vulgar cry of want and misery. They are the Ministers of the Court, not of the nation—they are every thing to the Court, and nothing to the country—they would pander even to a “sick epicure’s dream *”—they would rather tear from the country its vitals, than strip the Prince of a feather! But the country is roused, and the cause of Reform traverses your vast empire, with a tranquil, steady, and majestic port. The bright volume of the British Constitution is opened by the people to their Prince. He will there see that the prosperity and independence of the people form his sole title to the Crown—that his family are sworn to consult and maintain them—he will there find a lesson full of wisdom and humility, for he will there find that it is not the power, but the necessities of the Crown, that constitute the liberties of the country:—these are the

* “Sick Epicure’s Dream.”—Quoted from “Lines on the Death of —.” A Poem in every way extraordinary: attributed to a personage of the highest poetical talent. It first appeared in the *Morning Chronicle* of August 5, which was instantly bought up, and is reprinted in octavo by W. Hone, price 6d.

truths which load every line of your statute book with conviction—these are the lights which blaze upon the proudest pages of your history. Take from the Crown its dependence on the country, and you seal the instrument of your own captivity—even life itself would be but an act of toleration. If I know you, it is not with such a life you will be satisfied—you will not be satisfied with the uncertainty of a Turkish or Algerine existence; but even this harsh and hard condition of eternal trial, in a state of endless bondage, would not glut the rapacious cravings of the Minister—you could not meet the demands of the Chancellor of the Exchequer, were you, like silkworms, to spin your bowels out for him. It is the taxation, the ignorant taxation of the Government, that has done the mischief; and it is the impatience, the enlightened impatience of the nation that must cure it. I trust that the cry of **REFORM** and inexorable **RETRENCHMENT** will ring from one extremity of the empire to the other, until it stuns and confounds every officer in the state, from the pavilion to the poor-house. At present, certainly, the country appears to sustain its engagements: but is there an idiot in the land ignorant of this plain and intelligible fact, that it is purely a question of comparative quantity between the nation and its debt, between the power of the country and the pressure of its obligations. Why are taxes, the duration of which was limited by Act of Parliament, indefinitely perpetuated? For the ease of the Minister; certainly not for the ease of the country—to uphold by an unreduced expenditure the unconstitutional power of the Crown—that power which has beaten down the rights, and desolated the resources, of the country.

Mr. CASEY directed the attention of the meeting to the conduct of the slaves of Belfast, but said he saw a redeeming spirit rising in the other extremity of the “emerald isle.” Limerick was about to unborough a placeman, the habitual slave of the Minister, to make room for an upright, an enlightened, and unassuming citizen of her own; and Limerick should be called the star of the south. He said a stranger would suppose that Belfast was peopled with Indian jugglers, for if Lord Castle-reagh would go down, they could swallow any thing! He proposed “Health and victory to the independent Citizens of Limerick,” which was drank with enthusiasm.

The health of the LORD MAYOR OF LONDON was drank, amongst the other worthies remembered at this meeting of excellent spirits, who prolonged the festivities of the evening to a late hour.

LINES

Occasioned by the Liberation of Mr. JOHN MAGEE from an Imprisonment of Two Years and a half, commenced when he had scarcely attained the age of Manhood.

BY CHARLES PHILLIPS, ESQ.

~~~~~  
 "A dauntless soul erect, who smiled on Death."—THOMSON.  
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IRELAND !—if aught of Ireland now remains
 Untainted by corruption or by chains,
 Wake from thy trance of sorrow, and behold
 Another martyr in thy page enrolled !
 Lo ! the young Captive's iron doors unfold,
 And he is free !

A blander spirit, in a heart more bold,
 Breathes not the blessed air of Liberty.

Friend ! let the despot frown—the slave deride—
 Mine was almost the solitary pride,
 'Mid the dark horror of thy dungeon hours,
 To intertwine its chain with Friendship's flowers !
 'Twas bliss to me the stricken deer to tend,
 And prove in anguish, as in joy, a friend.
 Yet oft my Country, when I marked the mien,
 Which pour'd a radiance round that dismal scene,
 Heard from his tongue the patriot torrents roll—
 Saw his bright eye, the meteor of his soul—
 Saw his young heart resign, without a sigh,
 All youth's day-dreams for lone captivity—
 And saw, while others had the tear—the thought,
 Himself, the sad sole sufferer, he forgot.
 This spirit bent, sweet land, before thy shrine
 In joy, that such a relic still was thine ;
 A relic given Despair's fixed eye to raise,
 And turn our pilgrim Isle to happier—holier days

Friend of my youth! the trial scene is o'er—
 Again Creation's glories cheer thine eye;
 The cell's dark horrors shall return no more,
 Nor shall the mourning Felon's midnight sigh;
 Th' eternal chain—the hope-forbidding door,
 Or the poor Convict's execution cry,
 Again compose thy dreadful lullaby!

What! though of all the insect summer train
 To cheer thy fallen fortunes none remain—
 What! though, just Heaven! thou leav'st thy prison throne,
 Denounced! bereft! abandoned! and alone!
 Still shalt thou shine, in Freedom's fane enrolled,
 Wreath'd with her amaranth—a Name of Gold!
 Still will thy Country, lingering o'er that name,
 Tear it with tears from many a page of shame!
 And while her sighs and blush by turns disclose
 The mingled grief and glory of thy woes,
 Oft will she bless thee, blighted in thy bloom,
 A primrose, withering on her wintry tomb!

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- VII.—MR. PHILLIPS'S SPEECH at DUBLIN, Dec. 12, 1816, in *CREIGHTON v. TOWNSEND*, for SEDUCTION.

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THE
SPEECH
OF
CHARLES PHILLIPS, Esq.

AT THE GALWAY ASSIZES, TUESDAY, MARCH 25, 1817.

BLAKE v. WILKINS.

THIS cause, which had excited the most universal interest, came on to be tried at Galway, before the Honourable Baron SMITH and a Special Jury. Every avenue of the Court-House was crowded at an early hour, and long before the trial it was impossible to procure a seat.

The plaintiff is a Lieutenant in the navy, not above 30 years of age. The defendant is at least 65, and is the widow of the Staff-Physician in whose arms General Wolfe died at the siege of Quebec.

The plaintiff's case having been gone through, Mr. PHILLIPS addressed the Jury on the part of Mrs. Wilkins, in pretty nearly the following terms:—

“MAY IT PLEASE YOUR LORDSHIP—

“The plaintiff's counsel tell me, Gentlemen, most unexpectedly, that they have closed his case; and it becomes my duty to state to you that of the defendant. The nature of this action you have already heard; it is one which, in my mind, ought to be very seldom brought, and very sparingly encouraged. It is founded on circumstances of the most extreme delicacy, and it is intended to visit with penal consequences the non-observance of an engagement which is of the most paramount importance to society, and which of all others, perhaps, ought to be the most unbiassed—an engagement which, if it be voluntary, judicious, and disinterested, generally produces the happiest effects; but which, if it be either unsuitable or compulsory, engenders not only individual misery, but consequences universally pernicious. There are few contracts between human beings which should be more delicate than that of marriage. I admit it should be very cautiously promised; but, even when promised, I am far from conceding that it should invariably be performed; a thousand circumstances may form an impediment—change of fortune may render it imprudent—change of affection may make it culpable. The very party to whom the law gives the privilege of complaint has, perhaps, the most reason to be grateful—grateful that its happiness has not been surrendered to caprice—grateful that religion has not constrained an unwilling acquiescence, or made an unavoidable desertion doubly

criminal—grateful that an offspring had not been sacrificed to the indelicate and ungenerous enforcement—grateful that an innocent secret disinclination did not too late evince itself in an irresistible and irremediable disgust. You will agree with me, that if there exist any excuse for such an action, it is on the side of the female; because every female object, being more exclusively domestic, such a disappointment is more severe in its visitation; because the very circumstance, concentrating their feelings, renders them naturally more sensitive of a wound; because their best treasure, their reputation, may have suffered from the intercourse; because their chances of reparation are less, and their habitual seclusion makes them feel it more; because there is something in the desertion of their helplessness which almost merges the illegality in the unmanliness of the abandonment. However, if a man seeks to enforce this engagement, every one feels some delicacy attached to the requisition. I do not inquire into the comparative justness of the reasoning; but does not every one feel that there appears some meanness in forcing a female into an alliance? Is it not almost saying, ‘I will expose to public shame the credulity on which I practised, or you must pay to me in moneys, numbered, the profits of that heartless speculation; I have gambled with your affections; I have secured your bond; I will extort the penalty either from your purse or reputation!’ I put a case to you where the circumstances are reciprocal; where age and fortune are the same; where there is no disparity of years to make the supposition ludicrous; where there is no disparity of fortune to render it suspicious. Let us see whether the present action can be so palliated, or whether it does not exhibit a picture of fraud and avarice, and meanness and hypocrisy, so laughable, that it is almost impossible to criticise it; and yet so debasing, that human pride almost forbids its ridicule.

“It has been left to me to defend my unfortunate old client from the double battery of love and of law, which, at the age of sixty-five, has so unexpectedly opened on her. Oh, Gentlemen! how vain-glorious is the boast of beauty! How misapprehended have been the charms of youth, if years and wrinkles can thus, despoil their conquests, and depopulate the navy of its prowess, and beguile the bar of its eloquence! How mistaken were all the amatory poets, from Anacreon downwards, who preferred the bloom of the rose and the thrill of the nightingale, to the saffron hide and dulcet treble of sixty-five. Even our own sweet bard has had the folly to declare, that

‘He once had beard tell of an amorous youth,
Who was caught in his grandmother’s bed,
But owns he had ne’er such a liquorish tooth,
As to wish to be there in his stead.’

“Royal wisdom has said, that we live in a ‘New Era.’ *The reign of old women has commenced:* and if Johanna Southcote converts England to her creed, why should not Ireland, less pious perhaps, but at least equally passionate, kneel before the shrine of

the irresistible widow Wilkins? It appears, Gentlemen, to have been her happy fate to have subdued particularly the death-dealing professions. Indeed, in the love episodes of the Heathen mythology Mars and Venus were considered as inseparable. I know not whether any of you have ever seen a very beautiful print representing the fatal glory of Quebec, and the last moments of its immortal conqueror; if so, you must have observed the figure of the Staff Physician, in whose arms the hero is expiring: that identical personage, my Lord, was the happy swain, who, forty or fifty years ago, received the reward of his valour and his skill *in the virgin hand of my venerable client!* The Doctor lived something *more than a century*, during a great part of which Mrs. Wilkins was his companion. Alas! Gentlemen, long as he lived, he lived not long enough to behold her beauty—

‘ That beauty, like the aloe flow’r,
But bloom’d and blossom’d at fourscore.’

He was, however, so far fascinated, as to bequeath to her the legacies of his patients, when he found he was pre-doomed to follow them. To this circumstance, very far be it from me to hint, that Mrs. Wilkins is indebted for any of her attractions. Rich, however, she undoubtedly was; and rich she had still as undoubtedly have continued, had it not been for her intercourse with the family of the plaintiff. I do not impute it as a crime to them, that they happened to be necessitous; but I do impute it as both criminal and ungrateful, that, after having lived on the generosity of their friend, after having literally exhausted her most prodigal liberality, they should drag her infirmities before the public gaze, vainly supposing that they could hide their own contemptible avarice in the more prominent exposure of her melancholy dotage. The father of the plaintiff, it cannot be unknown to you, was for many years in the most indigent situation. Perhaps it is not a matter of concealment, that he found in Mrs. Wilkins a most generous benefactress. She assisted and supported him, until at last his increasing necessities reduced him to take refuge in an Act of Insolvency. During their intimacy, frequent allusion was made to a son, whom Mrs. Wilkins had never seen since he was a child, and who had risen to a lieutenantcy in the navy, under the patronage of their relative, Sir Benjamin Bloomfield. In a parent’s panegyric the gallant Lieutenant was, of course, all that even hope could picture: young, gay, heroic, and disinterested; the pride of the navy, the prop of the country, independent as the gale that wafted, and bounteous as the wave that bore him. I am afraid that it is rather an anti-climax to tell you after this, that he is the present plaintiff. The eloquence of Mrs. Blake was not exclusively confined to her encomiums on the Lieutenant: she diverged at times into an episode on the matrimonial felicities, painted the joy of passion and delights of love, and obscurely hinted, that Hymen, with his torch, had an exact personification in her son Peter, bearing a match-light, in his Majesty’s ship the Hydra! While these contrivances

were practising on Mrs. Wilkins, a by-plot was got up on board the Hydra, and Mr. Blake returned to his mourning country, influenced, as he says, by his partiality for the defendant; but, in reality, compelled by ill-health and disappointments, added, perhaps, to his mother's very absurd and avaricious speculations. What a loss the navy had of him, and what a loss he had of the navy! Alas, Gentlemen, he could not resist his affection for a female he never saw—almighty love eclipsed the glories of ambition—Trafalgar and St. Vincent flitted from his memory—he gave up all for woman, as Mark Antony did before him—and, like the Cupid in *Hudibras*, he

‘————— took his stand
Upon a widow's jointure land:
His tender sigh and trickling tear
Long'd for five hundred pounds a year;
His languishing desires were fond
Of statute, mortgage, bill, and bond.’

Oh! Gentlemen, only imagine him on the lakes of North America—alike to him the varieties of season or the vicissitudes of warfare. One sovereign image monopolizes his sensibilities. Does the storm rage—the widow Wilkins outshines the whirlwind. Is the ocean calm—its mirror shows him the lovely widow Wilkins! Is the battle won—he thins his laurel that the widow Wilkins may interweave her myrtles. Does the broadside thunder—he invokes the widow Wilkins!

‘ A sweet little Cherub, she sits up aloft
To keep watch for the life of poor Peter!’

Alas! how much is he to be pitied!—how amply should he be recompensed! Who but must mourn his sublime, disinterested, sweet-souled patriotism!—who but must sympathize with his pure, ardent, generous affection! Affection too confiding to require an interview! Affection too warm to wait even for an introduction! Indeed, his Amanda herself seemed to think his love most desirable at a distance; for at the very first visit after his return he was refused admittance. His captivating charmer was then sick and nurse-tended at her brother's house, after a winter's confinement, reflecting, most likely, rather on her funeral than on her wedding. Mrs. Blake's avarice instantly took the alarm; and she wrote the letter, which I shall now proceed to read to you.”

Mr. VANDFLEUR.—“ My Lord, unwilling as I am to interrupt a statement which seems to create so universal a sensation, still I hope your Lordship will restrain Mr. Phillips from reading a letter which cannot hereafter be read in evidence.”

Mr. O'CONNEL rose for the purpose of supporting the propriety of the course pursued by the defendant's council; when

Mr. PHILLIPS resumed—“ My Lord, although it is utterly impossible for the learned gentleman to say in what manner hereafter this letter might be made evidence, still my case is too strong to require any cavilling upon such trifles. I am content

to save the public time, and waive the perusal of the letter. However, they have now given its suppression an importance which perhaps its production could not have procured for it. You see, Gentlemen, what a case they have, when they insist on the withholding of the documents which originated with themselves. I accede to the very politic interference. I grant them, since they entreat it, the *mercy of my silence*. Certain it is, however, that a letter was received from Mrs. Blake, and that almost immediately after its receipt Miss Blake introduced herself to Brownville, where Mrs. Wilkins was—remained two days—lamented bitterly her not having appeared to the Lieutenant when he called to visit her—said that her poor mother had set her heart on an alliance; that she was sure, dear woman, a disappointment would be the death of her; in short, that there was no alternative but the tomb or the altar! To all this Mrs. Wilkins only replied, how totally ignorant the parties most interested were of each other, and that were she even inclined to connect herself with a stranger, (poor old fool!) the debts in which her generosity to the family had already involved her formed, at least for the present, an insurmountable impediment. This was not sufficient. In less than a week the indefatigable Miss Blake returned to the charge, actually armed with an old family bond to pay off the incumbrances, and a renewed representation of the mother's suspense and the brother's desperation. You will not fail to observe, Gentlemen, that while the female conspirators were thus at work, the lover himself had never seen the object of his idolatry. Like the maniac in the farce, he fell in love with the picture of his grandmother. Like a prince of the blood, he was willing to woo and to be wedded by proxy. For the gratification of his avarice, he was contented to embrace age, disease, infirmity, and widowhood; to bind his youthful passions to the carcass for which the grave was opening; to feed by anticipation on the uncold corpse, and cheat the worm of its reversionary corruption. Educated in a profession proverbially generous, he offered to barter every joy for money! Born in a country ardent to a fault, he advertised his happiness to the highest bidder; and he now solicits an honourable jury to become the panders to this heartless cupidity! Thus beset, harassed, conspired against, their miserable victim entered into the contract you have heard; a contract conceived in meanness, extorted by fraud, and sought to be enforced by the most profligate conspiracy. Trace it through every stage of its progress, in its origin, its means, its effects; from the parent contriving it through the sacrifice of her son, and forwarding it through the indelicate instrumentality of her daughter, down to the son himself, unblushingly acceding to the atrocious combination by which age was to be betrayed, and youth degraded; and the odious union of decrepid lust and procacious avarice blasphemously consecrated by the solemnities of religion! Is this the example which, as parents, you would sanction! Is this the principle you would adopt yourselves? Have you never witnessed the misery of an un-

matched marriage? Have you never worshipped the bliss by which it has been hallowed, when its torch, kindled at affection's altar, gives the noon of life its warmth and its lustre, and blesses its evening with a more chastened but not less lovely illumination? Are you prepared to say, that this rite of Heaven, revered by each country, cherished by each sex, the solemnity of every church, and the sacrament of one, shall be profaned into the ceremonial of an obscene and soul-degrading avarice?

No sooner was this contract, the device of their covetousness, and the evidence of their shame, swindled from the wretched object of this conspiracy, than its motive became apparent; they avowed themselves the keepers of their melancholy victim. They watched her movements—they dictated her actions—they forbade all intercourse with her own brother—they duped her into accepting bills, and let her be arrested for the amount. They exercised the most cruel and capricious tyranny upon her; now menacing her with a publication of her follies, and now with the still more horrible enforcement of a contract, that thus betrayed its anticipated inflictions! Can you imagine a more disgusting exhibition of how weak and how worthless human nature may be, than this scene exposes? On the one hand, a combination of sex and age, disregarding the most sacred obligations, and trampling on the most tender ties, from a mean greediness of lucre, that neither honour, nor gratitude, nor nature, could appease—“*Lucri bonus est odor ex re quolibet.*” On the other hand, the poor shrivelled relict of what once was health, and youth, and animation, sought to be embraced in its infection, and caressed in its infirmity—crawled over and corrupted by the human reptiles, before death had shovelled it to the less odious and more natural vermin of the gravel—What an object for the speculations of avarice! what an angel for the idolatry of youth! Gentlemen, when this miserable dupe to her own doting vanity and the vice of others saw how she was treated—when she found herself controuled by the mother, beset by the daughter, beggared by the father, and held by the son as a kind of windfall, that, too rotten to keep its hold, had fallen at his feet to be squeezed and trampled—when she saw the intercourse of her relatives prohibited, the most trifling remembrances of her ancient friendship denied, the very exercise of her habitual charity denounced; when she saw that all she was worth was to be surrendered to a family confiscation, and that she was herself to be *gibbeted in the chains of wedlock*, an example to every superannuated dotard upon whose plunder the ravens of the world might calculate, she came to the wisest determination of her life, and decided that her fortune should remain at her own disposal. Acting upon this decision, she wrote to Mr. Blake, complaining of the cruelty with which she had been treated, desiring the restoration of the contract of which she had been duped, and declaring, as the only means of securing respect, his final determination as to the controul over her property. To this letter, addressed to the son, a verbal answer (mark the conspiracy!) was

returned from the mother, withholding all consent, unless the property was settled on her family, but withholding the contract at the same time. The wretched old woman could not sustain this conflict. She was taken seriously ill, confined for many months in her brother's house, from whom she was so cruelly sought to be separated, until the debts in which she was involved, and a recommended change of scene, transferred her to Dublin. There she was received with the utmost kindness by her relative, Mr. M'Namara, to whom she confided the delicacy and distress of her situation. That Gentleman, acting at once as her agent and her friend, instantly repaired to Galway, where he had an interview with Mr. Blake. This was long before the commencement of any action. A conversation took place between them on the subject, which must, in my mind, set the present action at rest altogether; because it must shew that the non-performance of the contract originated entirely with the plaintiff himself. Mr. M'Namara inquired, whether it was not true that Mr. Blake's own family declined any connexion, unless Mrs. Wilkins consented to settle on them the entire of her property? Mr. Blake replied, it was. Mr. M'Namara rejoined, that her contract did not bind her to any such extent. "No," replied Mr. Blake, "I know it does not; however, tell Mrs. Wilkins, that I understand she has about £580 a-year, and *I will be content to settle the odd £80 on her by way of pocket-money.*" Here, of course, the conversation ended; which Mr. M'Namara detailed, as he was desired, to Mrs. Wilkins, who rejected it with the disdain which, I hope, it will excite in every honourable mind. A topic, however, arose during the interview, which unfolds the motives, and illustrates the mind, of Mr. Blake more than any observation which I can make on it. As one of the inducements to the projected marriage, he actually proposed the prospect of a £50 annuity, as an officer's widow's pension, to which she would be entitled in the event of his decease! I will not stop to remark on the delicacy of this inducement; I will not advert to the glaring dotage on which he speculated, when he could seriously hold out to a woman of her years the prospect of such an improbable survivorship. But I do ask you, of what materials must the man be composed who could thus debase the national liberality! What was the recompense of that lofty heroism which has almost appropriated to the British navy the monopoly of maritime renown—was that grateful offering which a weeping country pours into the lap of its patriot's widow, and into the cradle of its warrior's orphan—was that generous consolation with which a nation's gratitude cheers the last moments of her dying hero, by the portraiture of his children sustained and ennobled by the legacy of his achievements, to be thus deliberately perverted into the bribe of a base, reluctant, unnatural prostitution! Oh! I know nothing to parallel the self-abasement of such a deed, except the audacity that requires an honourable jury to abet it. The following letter from Mr. Anthony Martin, Mr. Blake's attorney, unfolded the future plans

of this unfeeling conspiracy. Perhaps the Gentlemen would wish also to cushion this document? They do not. Then I shall read it.

" This letter is addressed to Mrs. Wilkins:—

' *Galway, January 9, 1817.*

' MADAM—I have been applied to professionally by a Lieutenant Peter Blake, to take proceedings against you on rather an unpleasant occasion; but from every letter of your's, and other documents, together with the material and irreparable loss Mr. Blake has sustained in his professional prospects, by means of your proposals to him, makes it indispensably necessary for him to get remuneration from you. Under these circumstances, I am obliged to say, that I have his directions to take immediate proceedings against you, unless he is in some measure compensated for your breach of contract and promise to him. I should feel happy that you would save me the necessity of acting professionally, by settling the business,—[" You see, Gentlemen, money, money, money, runs through the whole amour"]—and not suffer it to come to a public investigation; particularly as I conceive, from the legal advice Mr. Blake has got, together with all I have seen, it will ultimately terminate most honourably to his advantage, and to your pecuniary loss. I have the honour to remain, &c.

(Signed)

' ANTHONY MARTIN.'

" Indeed, I think Mr. Anthony Martin is mistaken. Indeed, I think no twelve men, upon their oaths, will say (even admitting the truth of all he asserts) that it was *honourable* for a British officer to abandon the navy on such a speculation—to desert so noble a profession—to forfeit the ambition it ought to have associated—the rank to which it leads—the glory it may confer, for the purpose of extorting from an old woman he never saw, the purchase-money of his degradation! But I rescue the plaintiff from this disgraceful imputation. I cannot believe that a member of a profession, not less remarkable for the valour than the generosity of its spirit—a profession as proverbial for its profusion in the harbour, as for the prodigality of its life-blood on the wave—a profession ever willing to fling money to the winds, and only anxious that they should waft through the world its immortal banner, crimsoned with the record of a thousand victories. No, no, Gentlemen; notwithstanding the authority of Mr. Anthony Martin, I cannot readily believe that any man could be found to make the high honour of this noble service a base, mercenary, sullied pander to the prostitution of his youth! The fact is, that increasing ill-health and the improbability of promotion combined to induce his retirement on half-pay. You will find this confirmed by the date of his resignation, which was immediately after the battle of Waterloo, which settled (no matter how) the destinies of Europe. His constitution was declining, his advancement was annihilated; and, as a forlorn hope, he bombarded the widow Wilkins!

' War thoughts had left their places vacant ;
In their room came thronging soft and amorous desires,
All telling him how fair young HERO was.'

" He first, Gentlemen, attacked her fortune *with herself*, through the artillery of the church; and, having failed in that, he now attacks her fortune *without herself*, through the assistance of the law. However, if I am instructed rightly, he has nobody but himself to blame for his disappointment. Observe, I do not vouch for the authenticity of this fact; but I do certainly assure you, that Mrs. Wilkins was persuaded of it. You know the proverbial frailty of our nature; the gallant lieutenant was not free from it. Perhaps you imagine that some younger, or, according to his taste, some older fair one, weaned him from the widow. Indeed they did not. He had no heart to lose, (and can you solve the paradox?) his infirmity was Love; as the poet says,

' Love—still—love.'

No, it was not to Venus, it was to Bacchus he sacrificed. With an eastern idolatry, he commenced at day-light, and so persevering was his piety till the shades of night, that when he was not his knees *he could scarcely be said to be on his legs!* When I came to this passage, I could not avoid involuntarily exclaiming—' Oh, Peter, Peter! whether it be in liquor or in love,

' None but thyself can be thy parallel!'

I see by your smiling, Gentlemen, that you correct my error. I perceive your classic memories recurring to, perhaps, the only prototype to be found in history. I beg his pardon. I should should not have overlooked

' ————— the immortal Captain Wattle
Who was all for love, and—a little for the bottle.'

Ardent as our fair ones have been announced to be, they do not prefer a flame that is so exclusively *spiritual*. Widow Wilkins, no doubt, did not choose to be singular. In the words of the bard—and, my Lord, I perceive you excuse my dwelling so much on the authority of the muses, because, really, on this occasion, the minstrel seems to have combined the power of poetry with the spirit of prophecy—in the very words of the Bard,

' He ask'd her, Would she marry him? Widow Wilkins answer'd, No.
Then said he, I'll to the ocean rock, I'm ready for the slaughter;
Oh, I'll shoot at my sad image, as it's sighing in the water.
Only think of Widow Wilkins, saying—Go, Peter, go.'

" But, Gentlemen, let us try to be serious; and seriously give me leave to ask you, on what grounds does he solicit your verdict? Is it for the loss of his profession? Does he deserve compensation if he abandoned it for such a purpose—if he deserted at once his duty and his country, to trepan the weakness of a wealthy dotard? But did he (base as the pretence is), did he so? Is there nothing to cast any suspicion on the pretext? nothing in the aspect of public affairs? in the universal peace? in the certainty of being

put in commission? in the downright impossibility of advancement? Nothing to make you suspect that he imputes, as a contrivance, what was the manifest result of an accidental contingency? Does he claim on the ground of *sacrificed affection*? Oh, Gentlemen, *only fancy what he has lost!* If it were but the *blessed raptures of the bridal night*. Do not suppose I am going to describe it; I shall leave it to the learned counsel he has selected to compose his *epithalamium*.. I shall not exhibit the *venerable trembler*—at once a relic and a relict; with a grace for every year, and a Cupid in every wrinkle—affecting to shrink from the flame of his impatience, and fanning it with *the ambrosial sigh of sixty-five!* I cannot paint the fierce meridian transports of the honeymoon, gradually melting into a more chastened and permanent affection—every nine months adding a link to the chain of their delicate embraces, until, too soon, death's broadside lays the lieutenant low, consoling, however, his patriarchal charmer (old enough at the time to be the *last wife of Methusalem*) with a fifty-pound annuity, being the *balance of his glory against his Majesty's ship the Hydra!*

"Give me leave to ask you, is this one of the cases, to meet which this very rare and delicate action was intended? Is this a case where a reciprocity of circumstances, of affection, or of years, throw even a shade of rationality over the contract? Do not imagine I mean to insinuate, that under no circumstances ought such a proceeding to be adopted. Do not imagine, though I say this action belongs more naturally to a female, its adoption can never be justified by one of the other sex. Without any great violence to my imagination, I can suppose a man in the very spring of life, when his sensibilities are most acute, and his passions most ardent, attaching himself to some object, young, lovely, talented, and accomplished, concentrating, as he thought, every charm of personal perfection, and in whom those charms were only heightened by the modesty that veiled them; perhaps his preference was encouraged—his affection returned—his very sigh echoed, until he was conscious of his existence but by the soul-creating sympathy, until the world seemed but the residence of his love, and that love the principle that gave it animation; until, before the smile of her affection, the whole spectral train of sorrow vanished, and this world of woe, with all its cares, and miseries, and crimes, brightened, as by enchantment, into anticipated paradise! It might happen that this divine affection might be crushed, and that heavenly vision wither into air at the hell-engendered pestilence of parental avarice, leaving youth, and health, and worth, and happiness, a sacrifice to its unnatural and mercenary caprices. Far am I from saying, that such a case would not call for expiation, particularly where the punishment fell upon the very vice in which the ruin had originated. Yet even there, perhaps, an honourable mind would rather despise the mean unmerited desertion. Oh, I am sure a sensitive mind would rather droop uncomplaining into the grave, than solicit the mock-

ery of a worldly compensation. But in the case before you is there the slightest ground for supposing any affection? Do you believe, if any accident bereft the defendant of her fortune, that her persecutor would be likely to retain his constancy? Do you believe that the marriage thus sought to be enforced was one likely to promote morality and virtue? Do you believe that those delicious fruits by which the struggles of social life are sweetened, and the anxieties of parental care alleviated, were ever once anticipated? Do you think that such an union could exhibit those reciprocities of love and endearments by which this tender rite should be consecrated and recommended? Do you not rather believe that it originated in avarice; that it was promoted by conspiracy; and that it would, perhaps, have lingered through some months of crime, and then terminated in a heartless and disgusting abandonment?

"Gentlemen, these are the questions which you will discuss in your jury-room. I am not afraid of your decision. Remember, I ask you for no mitigation of damages. Nothing less than your verdict will satisfy me. By that verdict you will sustain the dignity of your sex; by that verdict you will uphold the honour of the national character; by that verdict you will assure not only the immense multitude of both sexes that thus so unusually crowd around you, but the whole rising generation of your country, that marriage can never be attended with honour, or blessed with happiness, if it has not its origin in mutual affection. I surrender with confidence my case to your decision."

[*A burst of applause*, which continued for some minutes, followed the delivery of this speech; every individual in court, opposed to Mr. Phillips, bore this strong testimony to the delight and admiration he excited.]

The damages were laid at £5000; but the plaintiff's counsel were, in the end, contented to withdraw a juror, and let him pay his own costs; by that proceeding, at once abandoning their claim on Mr. Phillips's client, and enabling that gentleman to

"——— add another sprig
Of laurel to his wig."

PETER PINDAR.

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MR. PHILLIPS'S
SPEECH FOR THE PLAINTIFF,

IN

Browne v. Blake,

Tried at Dublin, before Lord NORBURY and a Special
Jury, July '9 and 10, 1817.

MY LORD AND GENTLEMEN—I am instructed by the Plaintiff to lay this case before you, and little do I wonder at the great interest which it seems to have excited. It is one of those cases which come home to the "business and the bosoms" of mankind; it is not confined to the individuals concerned; it visits every circle from the highest to the lowest; it alarms the very heart of the community, and commands the whole social family to the spot, where human nature, prostrated at the bar of justice, calls aloud for pity and protection.

On my first addressing a Jury upon a subject of this nature*, I took the high ground to which I deemed myself entitled; I stood upon the purity of the national character; I relied upon that chastity which centuries had made proverbial, and almost drowned the cry of individual suffering in the violated reputation of the country. Humbled and abashed, I must resign the topic—indignation at the novelty of the offence, has given way to horror at the frequency of its repetition—it is now becoming almost fashionable amongst us—we are importing the follies, and naturalizing the vices of the continent—scarcely a Term passes in these Courts, during which some unabashed adulterer or seducer, does not announce himself, improving on the odiousness of his offence, by the profligacy of his justification, and, as it were struggling to record, by crimes, the desolating progress of our barbarous civilization. Gentlemen, if this be suffered to continue, what home shall be safe; what hearth shall be sacred; what parent can for a moment calculate on the possession of his child; what child shall be secure against the orphanage that springs from prostitution; what solitary right, whether of life, or liberty, or property in the land shall survive amongst us, if that hallowed couch which modesty has veiled, and love endeared, and religion consecrated, is to be invaded by a

* In Guthrie v. Sterne.

vulgar and promiscuous libertinism? A time there was when that couch was inviolable in Ireland, when conjugal infidelity was deemed but an invention—when marriage was considered as a sacrament of the heart, and faith and affection sent a mingled flame together from the altar! Are such times to dwindle into a legend of tradition? Are the dearest rights of man, and the holiest ordinances of God, no more to be respected? Is the marriage vow to become the prelude to perjury and prostitution? Shall our enjoyments debase themselves into an adulterous participation, and our children propagate an incestuous community? Hear the case which I am fated to unfold, and then tell me whether that endearing confidence, by which the bitterness of this life is sweetened, is to become the instrument of perfidy beyond conception; and whether the protection of the roof, the fraternity of the board, the obligations of the altar, and the devotion of the heart, are to be so many panders to the hellish abominations they should have purified! Hear the case which must go forth to the world, but which I trust in God your verdict will accompany, to tell that world, that if there was vice enough amongst us to commit the crime, there is virtue enough to brand it with an indignant punishment.

Of the Plaintiff, Mr. BROWN, it is quite impossible, but you must have heard much: his misfortune has given him a sad celebrity, and it does seem a peculiar incident to such misfortune that the loss of happiness is almost invariably succeeded by the deprivation of character. As the less guilty murderer will hide the corpse that may lead to his detection, so does the adulterer, by obscuring the reputation of his victim, seek to diminish the moral responsibility he has incurred. Mr. BROWN undoubtedly forms no exception to this system, betrayed by his friend and abandoned by his wife, his too generous confidence, his too tender love, have been slanderously perverted into the sources of his calamity; because he could not tyrannise over her whom he adored, he was careless; because he could not suspect him in whom he trusted, he was careless; and crime in the infatuation of its cunning, founds its justification even on the virtues of its victim! I am not deterred by the prejudice thus cruelly excited; I appeal from the gossiping credulity of scandal to the grave decisions of fathers and of husbands, and I implore of you, as you value the blessings of your home, not to countenance the calumny which solicits a precedent to excuse their spoliation. At the close of the year 1809, the death of my client's father gave him the inheritance of an ample fortune. Of all the joys his prosperity created, there was none but yielded to the extacy of sharing it with her he loved the daughter of his father's ancient friend, the respectable pro-

priester of *Oren Castle*. She was then in the very spring of life, and never did the Sun of Heaven unfold a lovelier blossom—her look was beauty and her breath was fragrance—the eye that saw her caught a lustre from the vision; and all the virtues seemed to linger round her, like so many spotless spirits enamoured of her loveliness.

“ Yes, she was good, as she was fair,
None, none on earth above her;
As pure in thought as Angels are,
To see her, was to love her.”

What years of tongueless transport might not her happy husband have anticipated! What one addition could her beauties gain to render them all perfect! In the connubial rapture there was only one, and she was blessed with it. A lovely family of infant children gave her the consecrated name of mother, and with it all that heaven can give of interest to this world's worthlessness. Can the mind imagine a more delightful vision than that of such a mother, thus young, thus lovely, thus beloved, blessing a husband's heart, basking in a world's smile; and while she breathed into her little ones the moral life, shewing them that, robed in all the light of beauty, it was still possible for their virtues to cast into the shade. Year after year of happiness rolled on, and every year but added to their love a pledge to make it happier than the former. Without ambition but for her husband's love, without one object but her children's happiness, this lovely woman circled in her orbit—all bright, all beauteous in the prosperous hour, and if that hour e'er darkened, only beaming the brighter and the lovelier. What human hand could mar so pure a picture! What punishment could adequately visit its violation!

“ Oh happy love, where love like this is found!
Oh heart-felt rapture! bliss beyond compare!”

It was indeed the summer of their lives, and with it came the swarm of summer friends, that revel in the sunshine of the hour, and vanish with its splendour. High and honoured in that crowd; most gay, most cherished, most professing, stood the Defendant, Mr. BLACK. He was the Plaintiff's dearest, fondest friend; to every pleasure called, in every case consulted, his day's companion and his evening guest, his constant, trusted, bosom confidant, and under guise of all—oh, human nature!—he had his fellest, deadliest, final enemy! Here on the authority of this brief, do I arraign him, of having wound himself into my client's intimacy, of having encouraged that intimacy into friendship, of having counterfeited a sympathy in his joys and in his sorrows; and when he seemed too pure even for scepticism to doubt him, of having, under the very sanctity of his roof, perpetrated an adultery the most unprecedented and perfidious! If this be true, can the world's

wealth defray the penalty of such turpitude? Mr. BROWN, Gentlemen, was a man of fortune; he had no profession, was ignorant of every agricultural pursuit, and, unfortunately adopting the advice of his father-in-law, he cultivated the amusements of the *Curragh**. I say unfortunately for his own affairs, and by no means in reference to the pursuit itself. It is not for me to libel an occupation which the highest, and noblest, and most illustrious throughout the Empire, countenance by their adoption; which fashion and virtue grace by its attendance, and in which, Peers and Legislators and Princes are not ashamed to appear conspicuous. But if the morality that countenances it be doubtful, by what epithet shall we designate that which would make it an apology for the most profligate of offences? Even if Mr. BROWN's pursuits were ever so erroneous, was it for his bosom friend to take the advantage of them to ruin him? On this subject, it is sufficient to remark, that under no circumstance of prosperity or vicissitude, was their connubial happiness ever even remotely clouded. In fact, the Plaintiff disregarded even the amusements that deprived him of her society. He took a house for her in the vicinity of *Kildare*, furnished it with all that luxury could require, and afforded her the greatest of all luxuries, that of enjoying and enhancing his most prodigal affection. From the hour of their marriage, up to the unfortunate discovery, they lived on terms of the utmost tenderness; not a word, except one of love; not an act, except of mutual endearment passed between them. Now, Gentlemen, if this be proved to you, here I take my stand, and I say, under no earthly circumstances, can a justification of the adulterer be adduced. No matter with what delinquent sophistry he may blaspheme through its palliation; God ordained, nature cemented, happiness consecrated that celestial union; and it is complicated treason against God and man, and society, to intend its violation. The social compact, through every fibre trembles at its consequences; not only policy but law, not only law but nature, not only nature but religion, deprecate and denounce it. Parent and offspring, youth and age; the dead from their tombs, the child from its cradle; creatures scarce alive, and creatures still unborn; the grand sire shivering on the verge of death, the infant quickening in the mother's womb; all with one assent, re-echo God, and execrate adultery! I say, then, where it is once proved that husband and wife live together in a state of happiness, no contingency on which the sun can shine, can warrant any man in attempting their separation. Did they do so? This is imperatively your first consideration. I only hope that

* The *Curragh* of Kildare, the Newmarket of Ireland.

all the hearts religion joined together, may have enjoyed the happiness that they did. Their married state was one continued honeymoon; and if ever cloud arose to dim it, before love's sigh it fled, and left its orb the brighter. Prosperous and wealthy, fortune had no charms for Mr. Brown, but as it blessed the object of his affections. She made success delightful; she gave his wealth its value. The most splendid equipages; the most costly luxuries; the richest retinue; all that vanity could invent to dazzle—all that affection could devise to gratify, were hers, and thought too vile for her enjoyment. Great as his fortune was, his love outshone it, and it seems as if fortune was jealous of the preference. Proverbially capricious, she withdrew her smile, and left him shorn almost of every thing except his love, and the fidelity that crowned it.

The hour of adversity is woman's hour; in the full blaze of fortune's rich meridian her modest beam retires from vulgar notice, but when the clouds of woe collect around us, and shades and darkness dim the wanderer's path, that chaste and lovely light shines forth to cheer him, an emblem and an emanation of the heavens! It was then her love, her value, and her power was visible. No, it is not for the cheerfulness with which she bore the change I prize her; it is not that without a sigh she surrendered all the haubles of prosperity; but that she pillowed her poor husband's heart, welcomed adversity to make him happy, held up her little children as the wealth that no adversity could take away; and when she found his spirit broken and his soul dejected, with a more than masculine understanding, retrieved in some degree his desperate fortunes, and saved the little wreck that solaced their retirement. What was such a woman worth, I ask you? If you can stoop to estimate by dross the worth of such a creature—give me even a notary's calculation, and tell me then what was she worth to him to whom she had consecrated the bloom of her youth, the charm of her innocence, the splendour of her beauty, the wealth of tenderness, the power of her genius, the treasure of her fidelity? She, the mother of his children; the pulse of his heart; the joy of his prosperity; the solace of his misfortunes; what was she worth to him? Fallen as she is, you may still estimate her; you may see her value even in her ruin. The gem is sullied; the diamond is shivered, but even in its dust you may see the magnificence of its material. After this they retired to *Rockville*, their seat in the county of *Galway*, where they resided in the most domestic manner, on the remnant of their once splendid establishment. The butterflies that in their noontide fluttered round them, vanished at the first breath of their adversity; but one early friend still remained faithful and affectionate, and that was the Defendant.

Mr. BLAKE is a young gentleman of about eight and twenty; of splendid fortune; polished in his manners; interesting in his appearance; with many qualities to attach a friend, and every quality to fascinate a female. Most willingly do I pay the tribute of nature which nature claims for him; most bitterly do I lament that he has been so ungrateful to so prodigal a benefactress. The more Mr. BROWN's misfortunes accumulated, the more disinterestedly attached did Mr. BLAKE appear to him. He shared with him his purse; he assisted him with his counsel; in an affair of honour, he placed his life and character in his hands: he introduced his innocent sister, just arrived from an English Nuntery, into the family of his friend; he encouraged every reciprocity of intercourse between the females, and to crown all, that no possible suspicion might attach to him, he seldom travelled without his domestic Chaplain! Now, if it shall appear that all this was only a screen for his adultery—that he took advantage of his friend's misfortunes to seduce the wife of his bosom—that he affected confidence only to betray it—that he perfected the wretchedness he pretended to console, and that in the midst of poverty, he has left his victim, friendless, hopeless, companionless, a husband without a wife, and a father without a child—gracious God! is it not enough to turn mercy herself into an executioner! You convict for murder—here is the hand that murdered innocence! You convict for treason—here is the vilest disloyalty to friendship! You convict for robbery—here is one who plundered virtue of her purest pearl, and dissolved it even in the bowl that hospitality held out to him! They pretend that he is innocent! Oh, effrontery the most unblushing! Oh vilest insult, added to the deadliest injury! Oh, base, detestable and damnable hypocrisy! Of the final testimony it is true enough their cunning has deprived us; but, under Providence, I will pour upon this baseness such a flood of light, that I will defy not the most honourable man merely, but the most charitable sceptic, to touch the Holy Evangelists, and say, by their sanctity, it has not been committed. Attend upon me now, Gentlemen, step by step, and with me rejoice that, no matter how cautious may be the conspiracies of guilt, there is a Power above to confound and to discover them.

On the 27th January last, *Mary Hines*, one of the domestics, received directions from Mrs. BROWN, to have breakfast ready very early on the ensuing morning, as the Defendant, then on a visit at the house, expressed an inclination to go out to hunt. She was accordingly brushing down the stairs at a very early hour, when she observed the handle of her mistress's door stir, and fearing the noise had disturbed her, she ran hastily down stairs to avoid her displeasure. She remained below about three quarters of an hour, when her master's

bell ringing violently, she hastened to answer it. He asked in some alarm where her mistress was? Naturally enough astonished at such a question at such an hour, she said she knew not, but would go down and see whether or not she was in the parlour. Mr. BROWNE, however, had good reason to be alarmed, for she was so extremely indisposed going to bed at night that an express stood actually prepared to bring medical aid from *Galway*, unless she appeared better. An unusual depression both of mind and body preyed upon Mrs. BROWNE on the preceding evening. She frequently burst into tears, threw her arms around her husband's neck, saying that she was sure another month would separate her for ever from him and her dear children. It was no accidental omen. Too surely the warning of Providence was upon her. When the maid was going down, Mr. BLAKE appeared at his door totally undressed, and in a tone of much confusion, desired that his servant should be sent up to him. She went down—as she was about to return from her ineffectual search, she heard her master's voice in the most violent indignation, and almost immediately after Mrs. BROWNE rushed past her into the parlour, and hastily seizing her writing-desk desired her instantly to quit the apartment. Gentlemen, I request you will bear every syllable of this scene in your recollection, but most particularly the anxiety about the writing-desk. You will soon find that there was a cogent reason for it. Little was the wonder that Mr. BROWNE's tone should be that of violence and indignation. He had actually discovered his wife and friend totally undressed, just as they had escaped from the guilty bed-side, where they stood in all the shame and horror of their situation! He shouted for her *brother*! and that miserable brother had the agony of witnessing his guilty sister in the bed-room of her paramour, both almost literally in a state of nudity. "BLAKE! BLAKE!" exclaimed the heart-struck husband, "*is this the return you have made for my hospitality?*" Oh, heavens! what a reproach was there! It was not merely, you have dishonoured my bed—it was not merely, you have sacrificed my happiness—it was not merely you have widowed me in my youth, and left me the father of an orphan family—it was not merely you have violated a compact to which all the world swore a tacit veneration—but, *you—you* have done it, my friend, my guest, under the very roof barbarians reverence; where you enjoyed my table, where you pledged my happiness; where you saw her in all the loveliness of her virtue, and at the very hour when our little helpless children were wrapt in that repose of which you have for ever robbed their miserable parents! I do confess when I paused here in the perusal of these instructions, the very life blood froze within my

veins. What, said I, must I not only reveal this guilt! must I not only expose this perfidity! must I not only brand the infidelity of a wife and mother, but must I, amid the agonies of outraged nature, make the brother the proof of the sister's prostitution! Thank God, Gentlemen, I may not be obliged to torture you and him and myself, by such instrumentality. I think the proof is full without it, though it must add another pang to the soul of the poor Plaintiff, because it must render it almost impossible that his little infants are not the brood of this adulterous depravity. It will be distinctly proved to you by *Honoria Brennan*, another of the servants, that one night, so far back as the May previous to the last-mentioned occurrence, when she was in the act of arranging the beds, she saw Mr. BLAKE come up stairs, look cautiously about him, go to Mrs. BROWNE's bed-room door, and tap at it; that immediately after Mrs. BROWNE went, with no other covering than her shift, to Mr. BLAKE's bed-chamber, where the guilty parties locked themselves up together. Terrified and astonished, the maid retired to the servants' apartments, and, in about a quarter of an hour after, she saw Mrs. BROWNE in the same habiliments return from the bed-room of BLAKE into her husband's. Gentlemen, it was by one of those accidents which so often accompany and occasion the developement of guilt, that we have arrived at this evidence. It was very natural that she did not wish to reveal it; very natural that she did not wish either to expose her mistress, or afflict her unconscious master with the recital: very natural that she did not desire to be the instrument of so frightful a discovery. However, when she found that concealment was out of the question; that this action was actually in progress, and that the guilty delinquent was publicly triumphing in the absence of proof, and through an herd of slanderous dependents, cruelly vilifying the character of his victim, she sent a friend to Mr. BROWNE, and in his presence and that of two others, solemnly discovered her melancholy information. Gentlemen, I do entreat of you to examine this woman, though she is an uneducated peasant, with all severity, because, if she speaks the truth, I think you will agree with me that so horrible a complication of iniquity never disgraced the annals of a Court of Justice. He had just risen from the table of his friend; he left his own brother and that friend behind him, and even from the very board of his hospitality, he proceeded to the defilement of his bed! Of mere adultery I had heard before. It was bad enough; a breach of all law, religion and morality; but, what shall I call this?—that seduced innocence—injured misfortune—betrayed friendship—violated hospitality—tore up the very foundation of human nature; and hurled its fragments at the

violated altar, as if to bury religion beneath the ruins of society? Oh, it is guilt that might put a Demon to the blush!

Does our proof rest here? No—though the mind must be sceptical that, after this, could doubt. A guilty correspondence was carried on between the parties, and though its contents were destroyed by Mrs. BROWN on the morning of the discovery, still we shall authenticate the fact beyond suspicion.—You shall hear it from the very messenger they entrusted—you shall hear from him, too, that the wife and the adulterer both bound him to the strictest secrecy, at once establishing their own collusion and their victim's ignorance, proving by the very anxiety for concealment, the impossibility of connivance; so true it is that the conviction of guilt will often proceed even from the stratagem for its security. Does our proof rest here? No—you shall have it from a gentleman of unimpeachable veracity, that the Defendant himself confessed the discovery in his bed room—“*I will save him,*” said he, “*the trouble of proving it—she was in her shift and I was in my shirt—I know very well a Jury will award damages against me—ask Brown* will he agree to compromise it—he owes me some money, and I will give him the overplus in horses!” Can you imagine anything more abominable; he seduced from his friend the idol of his soul, and the mother of his children, and when he was writhing under the recent wound, he deliberately offers him *brutes* in compensation! I will not depreciate this cruelty by any comment; yet the very brute he would barter, for that unnatural mother would have lost its life rather than desert its offspring. Now, Gentlemen, what rational mind but must spurn the asseveration of innocence after this? Why the anxiety about the writing desk? Why a clandestine correspondence with her husband's friend? Why remain at two different periods for a quarter of an hour together in a gentleman's bed-chamber with no other habiliment at one time than her bed-dress—at another than her shift. Is this customary with the married females of this country? Is this to be a precedent for your wives and daughters, sanctioned too by you, their parents and their husbands? Why did he confess that a verdict for damages must go against him, and make the offer of that unfeeling compromise? Was it for concealment? The transaction was as common as the air he breathed. Was it because he was innocent? The very offer was a judgment by default, a distinct, undeniable corroboration of his guilt. Was it that the female's character should not suffer? Could there be a more trumpet-tongued proclamation of her criminality? Are our witnesses suborned? Let his army of counsel sit and torture them. Can they prove it? Oh, yes, if it be provable, let them produce her brother—in our hands a damning proof to be sure; but then how frightful.

afflicting, unnatural ; in theirs, the most consolatory and delightful—the vindication of calumniated innocence, and that innocence, the innocence of a sister. Such is the leading outline of our evidence—evidence which you will only wonder is so convincing in a case whose very nature presupposes the most cautious secrecy. The law, indeed, Gentlemen, duly estimating the difficulty of final proof in this species of action, has recognised the validity of inferential evidence ; but on that subject his lordship must direct you.

Do they rely then on the ground of innocence ? If they do, I submit to you on the authority of law, that inferential evidence is quite sufficient ; and on the authority of reason, that in this particular case, the inferential testimony amounts to demonstration. Amongst the innumerable calumnies afloat, it has been hinted to me, indeed, that they mean also to rely upon what they denominate the indiscretion of the husband. The moment they have the hardihood to resort to that, they of course abandon all denial of delinquency, and even were it fully proved, it is then worth your most serious consideration, whether you will tolerate such a defence as that. It is in my mind beyond all endurance, that any man should dare to come into a Court of Justice, and on the shadowy pretence of what he may term carelessness, ground the most substantial and irreparable injury. Against the unmanly principle of conjugal severity, in the name of civilized society, I solemnly protest—It is not fitted for the meridian, and I hope will never amalgamate itself with the manners of this country—it is the most ungenerous and insulting suspicion, reduced into the most unmanly and despotic practice—

“ Let barbarous nations, whose inhuman love
Is wild desire, fierce as the suns they feel ;
Let Eastern tyrants, from the light of Heaven
Seclude their bosom slaves, meanly possessed
Of a mere lifeless violated form—
While those whom love cements in holy faith,
And equal transport, free as nature live—
Disdaining fear.”

But once establish the principle of this moral and domestic censorship, and then tell me where is it to begin ? Where is it to end ? Who shall bound—who shall deface it ? By what hitherto undiscoverable standard shall we regulate the shades between solemnity and levity ? Will you permit this impudent *espionage* upon your households ; upon the hallowed privacy of your domestic hours ; and for what purpose ? Why that the seducer and the adulterer may calculate the security of his cold-blooded libertinism !—that he may steal like an assassin upon your hours of relaxation, and convert perhaps your con-

fidence into the instrument of your ruin! If this be once permitted as a ground of justification, we may bid farewell at once to all the delightful intercourse of social life. Spurning as I do at this odious system of organized distrust, suppose the admission made, that my client was careless, indiscreet, culpable, if they will, in his domestic regulations, is it therefore to be endured, that every abandoned burglar, should seduce his wife, or violate his daughter? Is it to be endured, that Mr. Blake, of all men, should rely on such an infamous and convenient extenuation? *He*—his friend—his guest—his confidant—he who introduced a spotless sister to this attainted intimacy—shall he say—I associated with you hourly—I affected your familiarity for many years—I accompanied my domesticated minister of religion to your family—I almost naturalized the nearest female relative I had on earth, unsullied and unmarried as she was within your household; but—you fool—it was only to turn it into a brothel! Merciful God, will you endure him when he tells you thus, that he is on the watch to prowl upon the weakness of humanity, and that he audaciously solicits your charter for such libertinism?

I have heard it asserted also, that they mean to arraign the husband as a conspirator, because, in the hour of confidence and misfortune, he accepted a proffered pecuniary assistance from the man he thought his friend. It is true he did so: but so, I will say, criminally careful was he of his interests, that he gave him his bond—made him enter up judgment on that bond, and made him issue an execution on that judgment ready to be levied in a day, that in the wreck of all, the friend of his bosom should be at least indemnified. It was my impression, indeed, that under a lease of this nature, amongst honourable men, so far from any unwarrantable privilege created, there was rather a peculiar delicacy incumbent on the donor. I should have thought so still but for a frightful expression of one of the Counsel on the motion, by which they endeavoured not to trust a Dublin Jury with this issue. What, exclaimed they, in all the pride of their exorable instructions, “a poor plaintiff and a rich defendant—is there nothing in *that*?” No; if my client’s shape does not belie his species, there is nothing in *that*. I brave the assertion as a calumny on human nature. I call on you, if such an allegation be repeated, to visit it with vindictive and overwhelming damages. I would appeal, not to this civilized assembly, but to an horde of savages, whether it is possible for the most inhuman monster thus to sacrifice to infamy, his character, his wife, his home, his children! In the name of possibility, I deny it; in the name of humanity, I denounce it; in the name of our common country, and our common nature, I implore of the learned Counsel not to promulgate

such a blander upon both; but I need not do so—if the zeal of advocacy should induce them to the attempt, memory would array their happy homes before them; their little children would lip its contradiction—their love—their hearts—their instinctive feelings as fathers and as husbands, would rebel within them, and wither up the horrid blasphemy upon their lips.

They will find it difficult to palliate such turpitude—I am sure I find it difficult to aggravate. It is in itself an hyperbole of wickedness. Honour, innocence, religion, friendship, all that is sanctified or lovely, or endearing in creation. Even that hallowed, social, shall I not say *indigenous* virtue; that blessed hospitality, which foreign envy could not deny, or foreign robbery despoil; which, when all else had perished, cast a bloom on our desolation, flinging its rich foliage over the national ruin, as if to hide the monument, while it gave a shelter to the mourner; even *that* withered away before this pestilence! But what do I say! was virtue merely the victim of this adulterer? Worse, worse; it was his instrument; even on the broken tablet of the decalogue did he whet the dagger for this social assassination.—What will you say, when I inform you, that a few months before, he went deliberately to the baptismal font with the waters of life to regenerate the infant that, too well could he avouch it, had been born in sin—and he promised to teach it Christianity! And he promised to guard it against “the flesh!” And lest infinite mercy should overlook the sins of its adulterous father, seeking to make his God his pander, he tried to damn it even with the Sacrament!

See then the horrible atrocity of this case as it touches the defendant—but how can you count its miseries as attaching to the plaintiff! He has suffered a pang the most agonizing to human sensibility—it has been inflicted by his friend, and inflicted beneath his roof—it commences at a period which casts a doubt on the legitimacy of his children, and to crown all, “unto him a son is born,” even since the separation, upon *whom* every shilling of his estates has been entailed by settlement! What compensation can reprise so unparalleled a sufferer? What solitary consolation is there in reserve for him? Is it love? Alas, there *was* one whom he adored with all the heart’s idolatry, and she deserted him. Is it friendship? There *was* one of all the world whom he trusted, and that one betrayed him. Is it society? The smile of others’ happiness appears but the epitaph of his own. Is it solitude? Can he be alone while memory, striking on the sepulchre of his heart, calls into existence the spectres of the past. Shall he fly for refuge to his “sacred home!” Every object there is eloquent of his ruin! Shall he seek a mournful solace in his children? Oh,

he has no children—there is the little favourite that she has nursed, and there—there—even on its guileless features—there is the horrid smile of the adulterer !

O, Gentlemen, am I this day only the counsel of my client ! no—no—I am the advocate of humanity—of yourselves—your homes—your wives—your families—your little children. I am glad that this case exhibits such atrocity. Unmarked as it is by any mitigatory feature, it may stop the frightful advance of this calamity ; it will be met now and marked with vengeance ; if it be not, farewell to the virtues of your country ; farewell to all confidence between man and man ; farewell to that unsuspecting and reciprocal tenderness, without which, marriage is but a consecrated curse. If oaths are to be violated ; laws disregarded ; friendship betrayed ; humanity trampled on ; national and individual honour stained ; and a jury of fathers, and of husbands, will give such miscreancy a passport to their own homes, and wives and daughters—farewell to all that yet remains of Ireland ! But I will not cast such a doubt upon the character of my country. Against the sneer of the foe, and the scepticism of the foreigner, I will still point to the domestic virtues, that no perfidy could barter, and no bribery can purchase ; that with a Roman usage, at once embellish and consecrate households, giving to the society of the hearth all the purity of the altar ; that lingering alike in the palace and the cottage, are still to be found scattered over this land, the relic of what she was ; the source, perhaps, of what she may be ; the lone, and stately, and magnificent memorials, that rearing their majesty amid surrounding ruins, serve at once as the landmarks of the departed glory, and the models by which the future may be erected.

Preserve those virtues with a vestal fidelity ; mark this day by your verdict, your horror at their profanation ; and believe me, when the hand which records that verdict shall be dust, and the tongue that asks it traceless in the grave, many a happy home will bless its consequences, and many a mother teach her little child to hate the impious treason of adultery !

The Jury, after a most laborious investigation of two days, found a verdict for the Defendant.

THE ADDRESS TO H. R. H. THE PRINCESS OF WALES ;

DRAWN BY MR. PHILLIPS

At the Request of the Roman Catholics of Ireland.

May it please Your Royal Highness,

We, the Roman Catholic people of Ireland, beg leave to offer our unfeigned congratulations on your providential escape from the con-

spiracy which so lately endangered both your life and honour—a conspiracy, unmanly in its motives, unnatural in its object, and unworthy in its means—a conspiracy, combining so monstrous an union of turpitude and treason, that it is difficult to say, whether royalty would have suffered more from its success, than human nature has from its conception. Our allegiance is not less shocked at the infernal spirit, which would sully the diadem, by breathing on its most precious ornament, the virtue of its wearer, than our best feelings are at the inhospitable baseness, which would betray the innocence of a female in a land of strangers!!

Deem it not disrespectful, illustrious Lady, that, from a people proverbially ardent in the cause of the defenceless, the shout of virtuous congratulation should receive a feeble echo. Our harp has long been unused to tones of gladness, and our hills but faintly answer the unusual accent. Your heart, however, can appreciate the silence inflicted by suffering; and ours, alas, feels but too acutely, that the commiseration is sincere which flows from sympathy.

Let us hope that, when congratulating virtue in your royal person, on her signal triumph over the perjured, the profligate, and the corrupt, we may also rejoice in the completion of its consequences. Let us hope that the society of your only child again solaces your dignified retirement; and that, to the misfortune of being a widowed wife, is not added the pang of being a childless mother!

But if, Madam, our hopes are not fulfilled; if, indeed, the cry of an indignant and unanimous people is disregarded; console yourself with the reflection, that, though your exiled daughter may not hear the precepts of virtue from your lips, she may at least study the practice of it in your example.

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AN
HISTORICAL
CHARACTER
OF
NAPOLEON,

By CHARLES PHILLIPS, Esq.
THE CELEBRATED IRISH ORATOR.

II.
A CHARACTER OF NAPOLEON BY ANOTHER HAND.

III.
A BIOGRAPHICAL SKETCH OF NAPOLEON,
BY MR. WALSH, OF THE UNITED STATES.

IV.
AN ACCOUNT OF THE RISE AND DOWNFALL OF THE
LATE GREAT KAN OF TARTARY, VERY CURIOUS AND
NECESSARY TO BE KNOWN, IN ORDER TO A COM-
PLETE HISTORY OF THE PRESENT MARVELLOUS
TIMES. BY THE EDITOR OF THE EXAMINER.



“If the Fame of all the other famous men that ever lived could be embodied into one mass, it would not equal his individual fame.”

FIFTH EDITION.

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CHARACTERS OF NAPOLEON.

I. HISTORICAL CHARACTER OF NAPOLEON, BY CHARLES PHILLIPS, ESQ.

HE is fallen!—We may now pause before that splendid prodigy, which towered amongst us like some ancient ruin, whose frown terrified the glance its magnificence attracted. Grand, gloomy, and peculiar, he sat upon the throne, a sceptred hermit, wrapt in the solitude of his awful originality. A mind bold, independent, and decisive; a will, despotic, in its dictates; an energy that distasteful expedition, and a conscience pliable to every touch of interest, marked the outline of this extraordinary character, the most extraordinary perhaps, that, in the annals of this world, ever rose, or reigned, or fell. Flung into life in the midst of a revolution, that quickened every energy of a people who acknowledge no superior, he commenced his course, a stranger by birth, and a scholar by charity;—with no friend but his sword, and no fortune but his talents, he rushed into the lists where rank, and wealth, and genius had arrayed themselves; competition fled from him as from the glance of destiny. He knew no motive but interest—he acknowledged no criterion but success—he worshipped no God but ambition; and, with an eastern devotion, he knelt at the shrine of his idolatry. Subsidiary to this, there was no creed that he did not profess, there was no opinion that he did not promulgate; in the hope of a dynasty, he upheld the crescent; for the sake of a divorce, he bowed before the cross; the orphan of St. Louis, he became the adopted child of the Republic; and, with a parricidal ingratitude, on the ruins both of the throne and the tribune he reared the tower of his despotism; a professed catholic, he imprisoned the Pope; a pretended patriot, he impoverished the country; and, in the name of *Brutus*, he grasped, without remorse, and wore, without shame, the diadem of the Cæsars!

Through this pantomime of his policy, fortune played the clown to his caprices. At his touch crowns crumbled, beggars reigned, systems vanished; the wildest theories took the colour of his whim, and all that was venerable, and all that was novel, changed places with the rapidity of a drama. Even apparent defeat assumed the operations of victory—his flight from Egypt confirmed his destiny; ruin itself only elevated him to empire.

But, if his fortune was great, his genius was transcendent; decision flashed upon his councils, and it was the same to decide and to perform. To inferior intellects, his combinations appeared utterly impossible, his plans perfectly impracticable; but, in his hands, simplicity marked their development, and success vindicated their adoption. His person partook of the character of his mind—if the one never yielded in the cabinet, the other never bent in the field. Nature had no obstacles that he did not surmount—space no opposition that he did not spurn; and, whether amid Alpine rocks, Arabian sands, or Polar snows, he seemed proof against peril, and endowed with ubiquity! The whole Continent of Europe trembled at beholding the audacity of his designs and the miracle of their execution. Scepticism bowed to the prodigies of his performances—romance assumed the air of history; nor was there aught too incredible for belief, when the world saw a subaltern of Corsica waving his flag over her most ancient capitals. All the visions of antiquity became common places in his contemplation—kings were his people—nations were his outposts—and he disposed of courts, and crowns, and camps, and churches, and cabinets, as if they were the titular dignitaries of the chess-board!

Amid all these changes, he stood as immutable as adamant. It mattered little whether in the field or the drawing-room—with the mob or at the levee—wearing the Jacobin bonnet or the iron crown—banishing a Braganza or espousing a Lorraine—dictating peace on a raft to the Czar of Russia, or contemplating a defeat at the gallows of Leipzic—he was still the same military despot.

Cradled in the camp, he was, to the last hour, the darling of the army. Of all his soldiers, not one forsook him, till affection was useless, and their first stipulation was for the safety of their favourite.—They knew well if he was lavish of them, he was prodigal of himself; and that if he exposed them to peril, he repaid them with plunder. For the soldier, he subdued every people—to the people he made even pride pay tribute. The victorious veteran glittered with his gains, and the capital, gorgeous with the spoils of art, became the miniature metropolis of the universe. In this wonderful combination, his affectation of literature must not be omitted. The gaoler of the press, he affected the patronage of letters—the proscriber of books, he encouraged philosophy—the persecutor of authors, and the murderer of printers, he yet pretended to the protection of learning!—The assassin of Palm—the silencer of De Stael—and the denouncer of Kotzebue—he was the friend of David—the benefactor of De Lille—and sent his academic prize to the philosopher of England*.

Such a medley of contradictions, and, at the same time, such an individual consistency, were never united in the same character.—A royalist—a republican, and an Emperor—a Mahometan—a Catholic, and a patron of the synagogue—a subaltern and a sovereign—a traitor and a tyrant—a Christian and an infidel—he was, through all his vicissitudes, the same stern, potent, inflexible original—the

* Sir Humphry Davy had the first prize of the Academy of Sciences transmitted to him.

same mysterious incomprehensible *self*—the man *without a model, and without a shadow*.

His fall, like his life, baffled all speculation. In short, his whole history was like a dream to the world, and no man can tell how or why he was awakened from the reverie. Such is a faint and feeble picture of Napoleon Bonaparte, the first, and, it is to be hoped, the last, Emperor of the French. That he has done much evil there is little doubt—that he has been the origin of much good there is just as little. Through his means, intentional or not, Spain, Portugal, and France, have arisen to the blessings of a free constitution; Superstition has found her grave in the ruins of the inquisition; and the feudal system, with its whole train of tyrannic satellites, has fled for ever. Kings may learn from him, that their safest study, as well as their noblest, is the interest of the people; the people are taught by him, that there is no despotism so stupendous against which they have not a resource; and, to those who would rise upon the ruins of both, he is a living lesson, that if ambition can raise them from the lowest station, it can also prostrate them from the highest.

II.

ANOTHER CHARACTER OF NAPOLEON.

There were some few things similar in the minds of the Great Frederick of Prussia and of Bonaparte. They both occasionally descended to the extremities of littleness. The very consciousness of superior powers will sometimes induce this descent. A great man will do, without blushing, that which a fool dare not do, for very shame. This is on the principle of what Dr. Johnson calls "wasting our health to show how much we have to spare."—But neither of these men ever lost sight of the soldier. Frederick, when entertaining his friend, the Elector of Saxony, gave him a small Magdalen of Raphael. "You shall give me a troop of horse for it," said he. Yet he never generously paid his wounded officers. He thought only of those who had services to render. He measured no enemy but in relation to the purposes which he could effect. He regarded his kindred only for their services; and his friends only for their amusement. While he starved his relations, he would give a ducat for a cherry. He loved nobody during his life so well as his greyhounds; and died talking of his pine apples. One might here suppose that the Great Frederick had a mind as diminutive as an oyster. But this were a vulgar error. He aimed at—cared for no greatness but military greatness.—Men were welcome to usurp and divide all other fame as they chose. The world, to him, had nothing to give but victory and empire; and when he most esteemed Voltaire, he would have sold him, in the hour of need, for a private soldier. One circumstance which served to brutalize the whole mass of Frederick's feelings, was his indifference to sexual affection. Without this, man has no mistress but glory—all other passions visit him but as the caprice of the moment.

Bonaparte, as a sovereign, had a more dark and involved character. That he had a natural kindness of heart, which Frederick wanted, none but the vulgar and prejudiced will deny. He had a wife and child. But why not stipulate for their society?—will be asked. Perhaps he stipulated in vain. Or, on the contrary, hurled from power, humiliated to the dust, and taunted with scorn, disgusted with the want of faith in some, and shocked at the ingratitude of others, he could better bear to meet any one than the beings he loved. Scorn had no venom in others equal to the slightest shade of a lowered estimation in them. It is said of him, that when he returned from the frightful disasters of the campaign in Russia, he manifested considerable tardiness in going to the Empress; but, having seen her, he could scarcely be induced to quit her company. During his last visit to Paris, every part of his household is said to have received particular marks of kindness and attention, though, beyond the placid sphere of his home and the circle of some few favoured friends, every thing irritated and disturbed him. He felt the energy of capricious France ebbing from his wayward fortune. He was descending, for all the value of life, upon such friendships as he had elicited; and a more lively impression of their value was enforced upon him. If he now feels, as men commonly would in his situation, he must feel an earnest desire to recover his power. But he will use no precipitate and crude means. Slowly and warily will he proceed. Should he recover himself, the world will have a terrible account to settle with him. If we take such anecdotes as are told of him, in the extremes of his power and of his degradation, some inferences of his character may be drawn. On the first night of his entrance into Moscow, after some hours of driving sleet and snow, a calm and brilliant sky succeeded. The heavens were serene: but the earth presented a terrific scene of outrage, murder, robbery and conflagration. Moscow appeared, as the bulletin stated, “an ocean of flame!”—Napoleon surveyed the wild scene from the battlements of the Kremlin. One of his attendants observed that it was sublimely terrible. “It was a large fire,” said he, “and there is plenty of wood in the country*.” Amazement never for a moment absorbed him. His mind’s eye travelled tranquilly, amid universal death and disaster, from effects to their causes. He saw nothing in battle but the success or failure of certain points of combination, as in a game of chess. Did you name the value of life? “Men die every where,” he replied. The cold philosophy of power in such scenes chilled his heart towards all common sensations. He was never so cool as when in contemplating eminent success. Those who have carried him the news of victory, have frequently supposed that he had learnt it before, or that he did not credit them. It warmed no feature of his countenance;—it lit up no additional lustre in his eye. This was not indifference: he had acquired a habit of subduing ordinary emotions. Defeat and error enraged him towards those around him: but they never had power to hurry him into any efforts to repair disaster. His intemperance never extended itself to his

* Nearly the whole of the houses were built almost exclusively of wood.

† The reply to General Monet.

plans or resources, as a General. Let us look to the course of his feelings, when the thunderbolt of his fortune was expended. He had recourse to no dribbling efforts on which to hang the lingering flame of military hope. He negotiates the plan of his retreat with the precision of an attorney, who leaves nothing unprovided for. Within his dark and scowling heart, every passion crouched to discipline. Trifles only disturbed him. The offence of an inattention on the part of an attendant, would convulse him with rage; but if the world burst from under his feet, and he had a place to stand upon, he would regard it through his eye-glass as an experiment in natural philosophy. When he issued his orders from the Kremlin, the whole power of his extraordinary mind was in full activity. Thought passed on thought with the rapidity of lightning; and his comprehension would seem to grasp the sphere. But when he dandled the young King of Rome, he would joke with the nurse on the misbehaviour of her unconscious charge; and descend on the composition of pap. The father displaced the warrior and the statesman. The sceptre shrunk into a coral, and the world into a nursery-room—and Bonaparte's happiest hours may have been those when he watched his infant's first essays to walk from the knee of its mother to that of its father. Did time summon him to affairs of State? He resumed the plumed hat and the regal mind together.

[*The News.*]

III.

BIOGRAPHICAL SKETCH OF NAPOLEON, WRITTEN SOON AFTER HIS MARRIAGE WITH MARIA LOUISA, BY MR. WALSH, OF THE UNITED STATES.

THE person of Bonaparte has been so often described, that I need not enter into particulars on this point. He was quite corpulent at this period, and is now, as I am informed, still more robust. He wore, on this occasion, a plain uniform coat, with the imperial insignia, and the cross of the legion of honour. His hair was without powder, and cropped short. I saw him in various situations afterwards, and received uniformly the same impressions from his countenance. It is full of meaning, but does not altogether indicate the true character of his soul. His eye is solemn and gloomy, and exceedingly penetrating: but it has less of savage fierceness, and of fire, than one would expect. The whole physical head, however, is not unsuitable to the station or nature of the individual.

“His warlike mind, his soul devoid of fear,
“His high-designing thoughts are figur'd there”

His limbs are well-proportioned, and remarkably strong and muscular. His personal activity is indefatigable, and his personal courage has never been questioned. I have seen him several times on horseback, almost always in full gallop. He displays no grace in this position, but is universally admitted to be one of the most adventurous as well as skilful riders in his dominions.

There is no man, as I am well informed, more patient of fatigue, or more willing to encounter it in any situation. His habits as to diet are not at all abstemious, and yet by no means that of an epicure. He eats voraciously, and with the greatest celerity, of whatever is placed before him; drinks largely of coffee at all hours of the day, and takes an immense quantity of snuff. I had understood, before I arrived at Paris, that he appeared but seldom in public, and then with multiplied precautions for the security of his person. This, however, is certainly an incorrect statement. He exposes himself without any appearance of apprehension, and in situations in which his life might be at once assailed by a thousand hands. I have seen him in an open carriage, in the midst of a population of fifty thousand souls, in the park of St. Cloud.

I was prompted by a very natural curiosity to make many enquiries concerning the domestic temper and habits of "the Cæsar of Cæsars," as Bonaparte is now denominated in the journals of Paris. My sources of information were among the best, and the following is the summary of the copious details, which were given to me on this subject:—From his earliest youth, his disposition was haughty, vindictive, overweening, and ambitious. This character he displayed at the siege of Toulon, where he first distinguished himself in such a manner, as to induce his commander in chief, Dugommier, to make this remark, in speaking of him to one of the commissaries of the convention; "Let that young man engage your attention; if you do not promote him, I can answer for it, that he will know how to promote himself." When he was appointed, at the early age of twenty-five, to the command of the army of Italy, he betrayed no emotion, either of surprise or of diffidence, at so sudden and dangerous an elevation, and answered those, who indulged in some remarks concerning his youth, in this way: "At the expiration of six months, I shall either be an old general or a dead man."

Even in his boyhood, Bonaparte was passionately devoted to the military science, and took part with his young comrades in such exercises only as presented the most lively images of war.

He was not without social qualities in the earlier stages of his military career, and, even after his elevation to the first post of the army, could occasionally soften the natural tameness and solemnity of his manner, into an affable and communicative ease, which rendered his conversation somewhat attractive. He often indulged himself, when first consul, after the public repasts of the Thuilleries, in copious narratives concerning his campaigns in Egypt, about which he was extremely fond of talking. But on his accession to the imperial dignity, these glimmerings of the spirit of gentleness and courtesy were seen no more, and the innate dispositions of the man were displayed without disguise or control.

The consummate abilities of Bonaparte, both as a general and a statesman, are now universally acknowledged. Until a few years past, his enemies were unwilling to allow him that supremacy of genius which he undoubtedly possesses, and to which every individual, with whom I conversed on this subject in Paris, bore the amplest testimony. None of his counsellors, no functionaries of his

government approach him, without feeling the ascendancy of his mind; and there are but few about his person, who can penetrate into the recesses of his policy. His thoughts are perpetually occupied by vast schemes of conquest, and busied in all the most subtle refinements of elaborate fraud. His great strokes of policy, as well as the movements of his armies, originate with himself, and he displays no less skill than despotism in the application of the talents of others to his own purposes.

His ministers, however able or profligate, are scarcely equal to embrace, either the vast compass, or the gigantic depravity of his ambition. Although decorated with splendid titles, and enriched with an ample share of the public spoil, they are, nevertheless, the most miserable and laborious slaves in existence, under the inflexible dominion of the most capricious and insolent of all masters. They suffer personal indignities without number, and are at no one moment secure of the favour, upon which they know their existence to depend. If the foreign enterprises of Bonaparte, as well as the internal organization of his empire, be attentively examined, it will be perceived that he acts, in almost all instances, from a profound knowledge of the history of mankind, and of human nature, under all its phases. There is scarcely a successful device, in the catalogue of the means employed by conquering nations for the extension of their dominion, or by the Philips, the Cæsars, the Constantines, and the Charlemagnes, for the consolidation of their power, of which he will not be found to have made a skilful and efficacious use.

He has never felt, and is incapable of feeling, any influence, calculated to frustrate the views of his ambition, but that of an impetuous temper. To female blandishments he is utterly insensible, as far as they tend to subjugate the mind, although he has never deserved the reputation for continency, which he has enjoyed beyond the limits of Paris. Josephine possessed not the slightest ascendant over his decisions, or his inclinations, in any one point; nor will the present Empress exert any larger share of influence, whatever may be the superiority of her titles to deference or to love. For the whole house of Lorraine he cherishes an inextinguishable hate, and meditates the most complete destruction. Motives of state policy alone led to this union, and they alone will regulate his deportment towards the Austrian princess, who was sacrificed, unavailingly sacrificed, to the preservation of her father's crown.

IV.

ACCOUNT OF THE REMARKABLE RISE AND DOWN-FALL OF THE LATE GREAT KAN OF TARTARY:

With the still more remarkable Fancies that took possession of the Heads of some of his Antagonists.—Very curious and necessary to be known, in order to a complete History of the present marvellous Times.—BY THE EDITOR OF THE EXAMINER.

SUCH of our readers as have noticed the subject to us, have expressed a great desire to hear something further, if possible, respect-

ing the kingdom, called Hing-land, an island lying off the coast of China, of which, together with the strange proceedings of its Prince, JEE-AUGZ, we gave an account some time ago. We are happy to take advantage of the present holidays, which are enjoyed in some way or other by politicians as well as other men, and oblige ourselves, as well as them, by doing so. People are apt to know themselves better by finding actions resembling their own in the conduct and history of other nations. We think nothing of wearing white grease and powder in our hair: but we are apt to be startled when we hear of other nations plastering theirs with red; and as it is the same with fifty other fashions, so it may be with more serious matters. However, we are not going to moralize.—Our business is historical matter of fact; and no part of the world can be indifferent to us, now-a-days, especially in the new connexion we are about to open, or try to open, with one of the countries of which we are going to speak.

The reader will remember that we represented Hing-land as having suddenly been missed from the sea, owing to the PRINCE above-mentioned and his companions, who, in a strange intoxication of mind, had passed their time in boring a hole through it! It since appears, however, that the submersion was only temporary, or rather an ocular illusion, contrived by PROVIDENCE, to bring the said persons to their senses. Things, indeed, have since been greatly altered there, though not altogether on that account. The facts are as follow: The Hing Government, it appears, had long been at war with Tartary, on account of a new dynasty raised in the latter country, which they professed to oppose on the ground of its inordinate ambition, alleging, that no part of the Eastern world was safe from it. Nor was the accusation unfounded; for the Tartar Kan, NAN-PO-LEE-HON, had, in fact, not only conquered all the kings about him, except that of Hing-land, but had deposed several, to make way for his own family. One of his brothers, for instance, named JO-ZIF, was put to reign over Siam; another, JE-RUM, over Aracan; a third was made King of Assam, but resigned the crown; and his son-in-law, called HU-JEEN, acted as Vice-roy of Tibet, from the chief city of which the Grand Lama, or Man-God of that country, had been expelled; and the KAN's infant Son made Teshoo in his stead.

On the other hand, the Hing Government was as little candid as the other aggrieved States with regard to the remaining causes of their hatred to the new dynasty and to the Tartar people in general. The fact was, that the Tartars had not long since put an end to the dynasty called BO-UR-BONG; that is to say, in English, the dynasty of the POOR-BONES, a coincidence in sound, by the way, which we recommend to the learned in national origins, who will doubtless discover, in consequence, some remarkable connection between England and Tartary; probably that we all came from the latter country; which is the more likely, inasmuch as the Tartars ride on horses as we do, take snuff, and are credibly said to lie down when they go to sleep. But not to digress from our subject, —the Tartars having put an end to the dynasty of the POOR BONES, proceeded to introduce various popular reforms into the

Government, and altogether showed themselves so indisposed to a variety of prejudices received with great reverence over the East, that the surrounding Princes bitterly attacked them, and insisted that they should set up the next person of the discarded dynasty; which so angered the new Independents, that they fell with great fury on all sides of them, and soon made the Sovereigns cry for mercy. A series of victories, however, aided by their natural vanity, and the evident and continual jealousy with which an opportunity was watched for revenge, spoilt the Tartars in turn;—they raised their General-in-Chief to the throne, and as they had fought in the first instance for liberty, now went about fighting for conquest. The new KAN succeeded, as we have mentioned. He gave thrones to his brothers. He first obliged the GRAND LAMA to crown him, and then made him stop where he was, and live in a tent fit only for a human being. He had a guard of Europeans, to show the extent of his warlike travels. He adorned his palace with the choicest pictures, images, and other curiosities, from every city he had conquered, some of the former of which absolutely had perspective. He was flattered by every prince but one, who had formerly opposed him, and fairly covered with their decorations,—one sending him the order of the Dragon, another that of the Bell, and another that of the Sacred Pigtail. In short, he was looked upon as the greatest Prince who had appeared in the East since the time of GENGHIS, whom indeed he affected to call to mind; and though the Hing Government still held out against him, it was at length regarded as a hopeless business, inasmuch as he succeeded in obtaining in marriage the daughter of the Emperor of CHINA, the oldest house in Asia. This feeling was redoubled, when the young Princess, whose name was LOO-HEE-SA, brought him the son above mentioned. His dynasty was now reckoned firmly established: what especially contributed to its security, was his having put an end in other countries to all the despotic and superstitious customs that did not interfere with his own views—the POOR BONES, who had long taken refuge in Hing, had lost every thing, it was clear, but their appetites; and NAH-PO-LEE-HON, upon the strength of his security, consummated the grandeur of his station, by growing fat and corpulent.

But what is man? "Are we not," as the celebrated poet SHAM observes, in his reflections on mortality, "Are we not fat to-day and thin to-morrow?" "Does not the longest pigtail," says NO-WUN, "soonest reach the ground?" "Nay," as the same perfect poet remarks, "is there not a pitch even of corpulence, which upon the whole it is as well not to attain to?" The KAN of Tartary, not content with reminding his neighbours of Genghis, and with being addressed by sovereigns without daring to look in his face, just if they had been but so many Mandarins, must surpass that conqueror and every other, and so contrived to pick a quarrel with the Emperor of Tobolski, who reigned amidst snow and ice, at the very extremity of the northern continent. To make the exploit complete, he even set out on his campaign in winter; and nobody indeed knows what might have been the result, had not such an intense cold come on, accompanied with storms of snow,

that the fingers of the Tartars, when they attempted to take snuff, froze to their faces ; multitudes lost their way and were picked off, partly by the Tobolskians and more by the frost; and the Great KAN himself, in his usual hurry to dispatch things, rode up full butt against the city of Irkutsk, and gave himself a knock-me-down blow on the spot. The consequence was, the flight of the rest of his army, followed by his own; for, recovering himself after a while he resumed his usual expedition, and, outstripping his soldiers arrived, through clouds of assailants, at his chief city, Samarcand. where it is said, quietly seating himself, he took a pinch of warm snuff, and said, " This is much better than in Tobolski." His admirers (for he still had some, as he had not lost every thing) said that this was a proper piece of inflexibility, becoming a soldier of great views; but the old dynasty kings, and their friends, said it was mere unfeelingness, and quoted the examples of their own ancestors, who, after seeing their subjects cut up, on similar occasions, always looked very grave and devout.

It will easily be imagined that these princes did not lose the precious opportunity offered them. They were now grown a little wiser. They talked no more of their favourite dynasties, and of an old idol they worshipped, called JUSDY-VINUM; that is to say, in English, the DIVINE HUM; but cried out for revenge against the KAN's ambition and anti-public behaviour, and roused a general spirit accordingly, which had never looked so favourably for their cause. They collected together instantly, hung upon the rear of his army, drew all his remaining vassals from him but one, and making gradual progress, for he again went out to meet them, proceeded to give him final battle at the walls of his own city. Even there, however, intimidated by the resistance he and his people made, they were induced, in spite of all their long hopes and rancour, to offer him terms of peace; and even then, stimulated by the same ambition which had hitherto prospered in proportion to its daring, he refused them. He fought and lost. Why need we dwell upon particulars? his Generals forsook him: he abdicated the throne; the promises of his enemies vanish with their success; the grinning image of old JUSDY-VINUM, with a death's head in one hand, a scourge in the other, and a man under his feet, is placed up again in Samarcand;—in short, the POOR-BONES are recalled to the throne; while he himself, for they still feared him, sent him to live in an island, where it was thought he must inevitably lose both his fat and his renown.

Who now rejoices but every Prince in Asia, and who so merry above all as the Prince of HING and his Ministers? All over Hing, and China, and every where else, there was nothing but the ringing of bells and the lighting of lanthorns. The lovers of liberty, indeed, some of whom had been credulous enough to believe the promises of the Kings, began to exclaim against them again; for being now quite freed from their apprehensions, and able to do as they really wished, they began playing the very same game with thrones and countries as NAH-PO-LEE-HON had done,—giving one to this friend, and taking away t'other from that enemy; but the necessity for liberty's assistance had gone by; and what

with the tergiversations of some of its old friends, the despondency of others, and the shoutings of all the soldiers in Asia, except the Tartars, its voice was no more regarded than it used to be at first. Well,—we must wait a little, nevertheless, for an account of the rejoicings of the Prince of HING and his Ministers; for, lo and behold, all of a sudden, with a thunderclap, comes a fine apparition,—no less than NAH-PO-LEE-HON himself, as fat and free-looking as ever, landed in Tartary, and walking up to Samarcand, swinging his sleeve about, as if nothing had happened!—The old restored Kan LOO-HISS, with the rest of the POOR-BONES, makes his retreat as quickly as possible,—we say as possible, for it must be allowed, in candour, that he had been an accomplished diner, and, contrary to the general cast of the family, was unwieldy enough to be impressively handsome. Off however he goes; and the Great KAN sits down with his usual face, to take his pinch of snuff, and ask about the state of the Tartar swords and horses.

It is easy to conceive the feelings of all the Sovereigns. It looked clear that he was welcome back, and that he had now got another chance for reigning; but they could not, they thought, retreat in decency, after all their triumph; and, besides, NAH-PO-LEE-HON was now making popular professions in his turn. He had always spoken very contemptuously, in private, of the idolatrous worship of FO, which he used to couple with the profane word "Nonsense," saying, whenever it was mentioned to him, "Fol Nonsense!" He now added to this a particularly contemptuous mention of old JUSDY-VINUM, whom he even publicly pulled by the beard: so that it was thought that, in addition to the public improvements, which in some respects were inevitably connected with his cause, he would get into the new ambition of reigning like the Prince of a free people, and outwitting opposition in that way. Fresh preparations therefore were made for arms. The troops of Hing-Land and the people called the Pru-Shans, who had been particularly odious to the Tartars for their having entered their territories formerly with great circumstances of cruelty, and who, it must be owned, had been pretty retributively handled in return, were the first in the field,—the former under the command of a general named VEL-HING-TONG, who had gained great reputation in Siam;—the latter under that of a very fierce old fellow, called, for his singular doggedness in battle, BLU-CHEE; that is to say, the BLUE CUR.

NAH-PO-LEE-HON however, who, if other people lost not a minute's time, lost not a second's, was in the field before they expected him, and succeeded in attacking the Pru-Shans separately first. It is not exactly known what the Kolao VEL-HING-TONG was about: but it is generally believed that he had fallen upon a set of ladies with such exquisitely small and tottering feet, that he could not help tottering about with them;—an amiable infirmity, but rather out of season just then. Be this as it may, NAH-PO-LEE-HON drove the Pru-Shans back; and then the troops of Hing-Land succeeding, attacked them. But here he found a very different business. It was not that VEL-HING-TONG, with all his cleverness, was so great a General, for it was clear by his not ha-

ving been readier, and by his being compelled to bear the brunt of all that the others chose to do, that he was not; but the men of Hing were a sturdier race than the Tartars, for they were freer and had better habits, and as VEL-HING-TONG partook enough of the nature of his countrymen to let them evince all their courage and steadiness, the Tartar could make hardly any more impression upon them than upon so many rocks; till, just as ingenuity on one side, or physical force on the other must have been exhausted, up come the Pru-Shans again under the BLUE CUR, and decide the fortune of the day. NAB-PO-LEE-HON again flies to Samarcand, is again pursued, again abdicates, and finally, to consummate the glory of the men of Hing, delivers himself into their hands, and comes off their coast in a Hing vessel. All the junks belonging to the nation seem to bring the people out to see him; and there he stands me on the deck, as firm and as fat as ever, making salutation occasionally to the Hing ladies. "Ho!" as one of them observed, "but he was a very taking sort of a captive." In short, it was doubted, it seems, especially by the PRINCE of HING, whether a man so fat would not have made too great an impression; and so, as the POOR BONES were again restored, and it was intended to exalt old JUSDY-VINUM more than ever, it was thought proper to refuse him an asylum, and send him to an island a much greater way off than the last; and there, till some new enemy of Hing's, or a new insurrection, somehow or other, may release him, there he now is, looking as jolly, they say, as of old, and taking his snuff and his reverses with equal inflexibility.

Well,—now then, assurance being doubly sure, what but the feasts and the lanthorns again? Out they come once more; and the bowings, and scrapings, and flourishing of compliments are performed over again; the worship of old JUSDY-VINUM is more openly practised; a leading Tartar or two is sacrificed to him, and some of the GRAND LAMA'S adorers even call out for another day of BAR-THAU-LUM-HU, which was an anniversary on which a massacre took place in Samarcand.

But who so merry again as the PRINCE of HING and his Minsters? Our readers may remember that, when we last mentioned this personage, we left him and his companions practising that alarming freak, which they took into their heads, of boring a hole through the island of Hing, and so threatening it with dissolution. They had begun to practise this portentous joke of theirs again, though not with such vigour as before, but left it off, and their cups too, for a while, at the noise of what was going on in Tartary. We described, it may be remembered, the extravagancies of the PRINCE of HING with regard to dress, and other matters; and in this respect also the calamity threatened to the island had had its use, the said extravagancies not taking effect among the upper classes, and being universally acknowledged for what they were. But he and his companions endeavoured to make up the loss in other ways; and the Ministers here joining with them, the pranks became ludicrous beyond measure. They really fancied that whatever the snows and other disasters in Tobolski had done, and whatever had been achieved in particular by their

countrymen at the last moment, *they*, they themselves, personally speaking, had been the overthrowers of the GREAT KAN. It is supposed that the disorder arose from their having drank a little too much during a visit which the Emperor of TOBOLSKI and others paid them; but, be this as it may, they all fell into the oddest imaginations. One thought himself a whole army of men; another fancied he was the wall of the city of Irkutsk; and a third, by some ingenious contrivance of the imagination, took himself for a fall of snow. You would have died to see the attitudes into which the latter threw himself;—he would rise on tip-toe, and bending forward, hang his head and arms archways in the most ridiculous manner, and fancy he saw NAH-PO-LEE-HON buttoning himself up, and blinking away underneath. This, we are told, was the Mandarin KAH-STLEE-RA. The army of men was a Mandarin of the name of GENG-KING-SONG, who would remind those about him, with a great air of triumph, that he wanted to march to Samarcand some years ago; and then he would plant himself bolt upright, and winking his eyes, belabour his face all the while with his two fists, as if he were tiring out a whole army of blows. The wall, they say, was JEE-AUGE himself; and very mural and inflexible would he look, standing stock still, and getting one of the court scribes to personate NAH-PO-LEE-HON, and run smack up against him, so as to knock himself down,—at which he would say, breathing as gently as he could contrive, and assuming all the satisfaction of aspect which he thought becoming in a wall,—“There, you see how it is.”

It is in vain some of the Hing people suggest on these occasions, that both facts and appearances go against them;—it is in vain they represent, with whatever humility, to my Lord GENG-KING-SONG, that he really is not a host in himself,—or to the Mandarin KAH-STLEE-RA, that there is no possibility of his being at once what he is, and yet coming over you in the manner he pretends. They are not unwilling perhaps to allow that their Master may be mistaken; but as to themselves, they are perfectly sure how it is; and then my Lord GENG-KING-SONG looks infinite things at you, and his brother Mandarin puts on such a chilling and yet, at the same time, melting aspect, that you are glad to retreat, which he instantly takes for a proof of his pretensions. This is the deplorable way they are in the present writing; and what is very shameful, some unlucky wags, who know better, have encouraged them in the notion lately, by means of their profession, as scribes; so that, during the Feast of Lanthorns, they have been playing such antics as there is no describing, and eating and drinking to each other in the characters of *Snow*, *Army*, and *Wall*, like the men in the play of our great European Poet.

We suppose the truth must come out, some how or other, at the approaching meeting of the Hing Representatives; but it is said that the patients are resolved, in spite of all advice, to stick to their pretensions in that assembly, of all others; and that JEE-AUGE has even ordered a dress for the occasion, which is the most oddly characteristic in the world, and as complete a piece of building as can be imagined.

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PREFACE.

AN effusion which has excited, and gratified a curiosity unparalleled in extent since the press teemed with the productions of the immortal BURKE, which our children, yet unborn, who have pure hearts and feelings, will admire in after time with the same rapture as their fathers do now, could scarcely be expected to arrive at its highest station in our moral atmosphere, without exciting envy in the weak, captiousness in the wayward, and surprise in the dull.

But that a huge colossus of the periodical press should step out, and "have a fling at it," was perhaps, for obvious reasons, never contemplated by its Author.

Such, however, is the fact:—the great northern light of the sister metropolis of Britain, as though jealous of the steady sour of an emanation from the sister island, has flashed with mighty flare at the daring aspirant; which, notwithstanding its meditated deep damnation, proceeds in its destined career.

In plain English—

The Edinburgh Review has declared against "The Speech;" the Author has pleaded a justification:—they have put themselves upon their Country; therefore let the Reader determine between them.

A Letter

FROM

CHARLES PHILLIPS, Esq.

&c.

TO THE EDITOR OF THE EDINBURGH REVIEW.

SIR—The notice which you have been pleased to take of a speech, purporting to have been delivered by me in the Court of Common Pleas, Dublin, will, I hope, shield me from the charge of obtrusion in thus publicly addressing you.

To be noticed by a work so valuable in every respect as the *Edinburgh Review*, is a distinction which I sufficiently appreciate—a distinction, however, which I regret was not reserved for the effort of more matured years, and for an effort authorised by my sanction.

The first essay of a young barrister in a Court of Justice is scarcely a legitimate subject for criticism; when unauthenticated, it is not so at all. Against such an interference I enter my protest; and I do so the more seriously, in the first instance, in consequence of your avowed intention to watch those future professional exertions which my pursuits in life may render necessary, and which the speculations of a foreign printer may, without my authority, induce him to promulgate. The English pamphlet on which you found your criticism, I never saw until it had gone through several editions; and, though very kindly, it is, in some respects, very incorrectly edited.

For your indulgence in many instances I have a right to be grateful, and, amongst others, for what

you denominate "my independent and honourable conduct in the political contests of my country." This is indeed high praise; far above the "undoubted talents, and even genius," you concede to me—it is the praise of *principle*. Little, however, should I deserve such an encomium, if I did not denounce, with grief and with indignation, the unworthy sneers flung upon that country in your very commencement—a country but too historically said to be

"—————ever hardly used,
At random censured and abused."

Such prejudices, vulgarized by the bigot's cant, and polluted by the parasite's adoption, should not have disgraced a page rendered valuable alike by its ability and its patriotism. There is, however, a novelty even in the vices of genius; and you have contrived, I believe for the first time, to cast upon the proverbially ardent generosity of the Irish character the imputation of "craft." The imputation has all the merit of invention; and, were I disposed to imitate this national illiberality, I would say, that the charge of "craft," coming from a *Scotchman*, has an air of innocent simplicity about it, which much more than neutralizes its virulence. After such a theme, your remarks upon myself are scarcely worth considering. I dismiss the Preface altogether, of whose author, whose well-meant exaggerations in my favour I willingly admit, I am entirely ignorant; neither is it necessary to go at length into your criticism. The very first page amply elucidates the spirit in which it was commenced, and the talent with which it is conducted. I had said, that my learned colleagues had "conceded" to me the statement. You remark upon this—"concession is here used, rather awkwardly, for assent." Now, Sir, it was not used merely to imply assent—it implied much more; it implied that they not only had assented to my having the statement, but that they had *conceded* to me that station to which not only

their seniority, but their talents, had entitled them. You next observe, the expression, "to *detail* the story of my client's misfortunes," is not happy—scarcely accurate; and the amendment you propose is, "to detail the particulars." Your alteration, in my opinion, is any thing but an amendment. To "*detail* the particulars," if it be sense at all, you must admit is, to say the best of it, downright tautology. The next expression at which you cavil is, "my friendship for my client being cemented by our mutual attachments"—(it is, by a manifest error of the press, printed "attachment.") The meaning of the expression requires no second sight; the *idem velle* and the *idem nolle* are classical authority for the growth of friendship, and if I have erred at all, which I deny, I have erred with Sallust. Really, Sir, when you failed in proving an "inaccuracy of diction" in me, I must admit the generosity with which you have exemplified it in yourself. Such is the extent, and such the value, of the verbal criticism to which you have descended.

The quotations which you have selected I leave entirely to their intrinsic merit; remarking, however, that it is not quite fair in a critic to cull out some high-wrought passage for his comment, totally omitting the previous dry detail which it was intended to relieve, to enliven, or to illustrate. Pursuing your remarks in the spirit in which you commenced them, it suits a purpose to assert, that I claimed for Ireland a "monopoly of chastity." I claimed no such thing; but I did say, and I repeat the assertion with pleasure and with pride, that an inviolable observance of the marriage vow is the national characteristic of the *Irish female*. How do you repel my position? By asserting, forsooth, that the highest damages ever given in cases of this nature have been adjudged in Ireland, as if the very fact did not establish my argument. If our Irish juries were more accustomed to the vice, no doubt they would view it with much less abhorrence. But,

it seems, "the courts upon your side of the water frequently exhibit Irish names." Look again at the records,—you will find them almost uniformly the names of MEN, and those men scarcely ever *plaintiffs*. Our lovers "on this side of the water" are, I am afraid, too like the lovers of every other nation; and, indeed, the annals of your very last term but too fatally demonstrate, that our own minstrel blended the accuracy of the historian with the inspiration of the poet, when, for once ungallant, he described your fair ones as wanting

"——— the wild, sweet, briary fence,
Which round the flowers of Erin dwells,
Which warns the touch, while winning the sense,
Nor charms us least, when it most repels."

You have, I am aware, your answer ready. It is all to be ascribed to our "imperfect civilization." Oh, my loved country! denounced by the bigot—defamed by the foreigner—deserted by thy own apostate patriots; but still my loved, my native Ireland! long may the highest human virtues—the chivalry of spirit—the hospitality of heart—the grand, uncalculating generosity of character—the modesty of thy maids—the chastity of thy matrons—the innate hereditary heroism of thy sons, denote and dignify thy "imperfect civilization!" Alas, alas! why should the enlightened page of Scotland pollute the fountain of its fine philosophy with the poison of an impure and impious prejudice! Sir, was this fair? was this candid? Was it from a consciousness of this illiberality, that you decried the well-earned panegyric on Lord Erskine, and, in doing so, attributed to me language which I never uttered? For instance, I never called his mind "legitimate." The phrase I used was, his "*legislative mind*;" and even your sagacity will not incline to "hint that the expression is unintelligible." But, indeed, it seems as if you were determined to be intolerant of that liberality in others, of which you were predetermined to divest yourself!

Why would you insinuate that I introduced that great and noble character in comparison with myself? Why would you say I wanted to remind the jury of his similar exertions? You knew he had endeavoured to render the offence which I was denouncing, a *criminal* offence; and, surely, when such a man thought so heinously of its perpetration, it was, at least as far as high authority could go, an argument for adjudging the highest possible *civil* compensation. Such was my expressed motive for mentioning Lord Erskine, and it was not the duty of a critic either to conceal or misrepresent it. Far, far be it from me to institute the vain and egotistical comparison: if, after all experience and industry can produce—if, after the studies of the lamp and the labours of the morning, in the close of my life I can come within the penumbra of his immortal name, it will be a triumph beyond the dream of my hope, or the vanity of my ambition.

You, Sir, who have adopted the office of commentator yourself, will know how to excuse the freedom of these not voluntary observations. Acknowledging, as I do, in many respects, the just severity of your criticism, I shall endeavour to correct the vices which have fallen within its censure; though perhaps many may think that the unfortunate case, in which you condemn the colouring, was one, of all others, in the consideration of which it was the policy of the advocate to lull the judgment, and call the passions into operation.

I have the honour to subscribe myself,

Sir, &c.

CHARLES PHILLIPS.

Dublin, January 2, 1816.

“ Irish Eloquence ; ”

BEING THE CRITIQUE, VERBATIM, ON MR. PHILLIPS'S
SPEECH, FROM THE

EDINBURGH REVIEW, No. L.

WHATEVER grievances the sister kingdom may have to complain of, at the hands of this country, we apprehend, she cannot accuse us of insensibility to the worth and genius of her people. On the contrary, there seems to exist a spirit of exaggeration regarding them—a disposition to make up for the evils occasioned by misgovernment and abuse, by a somewhat unlimited praise of Irish warm-heartedness, and Irish eloquence. Our Irish brethren, too, have generally been very ready to accept of these honours; and to console themselves for the loss of more substantial good, by admitting that they are indeed the best-hearted and most eloquent of mankind. From time to time, doubts may have been hinted as to the soundness of this doctrine; and sceptical or cold-blooded observers may have fancied they could trace both the one quality and the other to a certain vehemence of temperament, the growth of imperfect civilization; the more especially, when the warmth of feeling was perceived to be often in alliance with craft as well as violence, and the glow of fancy to be unchastened by sound taste. But, generally speaking, the opinion of men seems fixed upon the subject; and he would meet with a sorry reception, we imagine, on either side of the Channel, who should dispute the position, that Ireland is the land of generous natures and eloquent tongues. Accordingly, we are not about to deny any such tenet; we only claim for ourselves the privilege of watching the attempts made to import the Irish article into this country; and, admitting it to be admirably fitted for home consumption; we think nothing can be much clearer than its unsuitableness to our market. The reader will immediately perceive, that we are speaking merely of the kind of composition usually denominated Irish Oratory, in which the better speakers who have come over to England deal very sparingly, and the best not at all,—but of which the speech of Mr. Phillips, now before us, is almost entirely made up. Its characteristics are, great force of imagination, without any regularity or restraint; great copiousness of language, with little selection or propriety; vehemence of sentiment, often out of place; warmth of feeling, generally overdone; a frequent substitution of jingling words for ideas; and such a defect in skill (with reference to the object in view), as may be supposed to result from the intemperate love of luxuriant declamation, to which all higher considerations are sacrificed. The merits peculiar to this school of

rhetoric we are far from denying; but they are of dangerous example, and, at the best, of a subordinate cast. They are not, indeed, by any means of easy attainment; and even their excess, the fault they are principally liable to, is the vice of clever, not of dull minds. Yet no one, whose taste is not extremely faulty, or corrupted by the study of models from this school, can hesitate a moment in rejecting them, when offered as a sample of legitimate eloquence. We purpose, therefore, to bestow a little attention upon Mr. Phillips's speech, coming forward, as it should seem, to claim the praise, not merely of a speech which did its business with the jury, and might be forgotten, but one that deserves to live, and be regarded as a specimen of the art—a specimen, too, suited to the English as well as Irish taste. We must frankly own, that, with every sense of its merits as a piece of Irish eloquence, we think they are not such as can recommend it to the more severe judgment of this country.

The purposes for which, the Preface informs us, this Speech is published are, "the encouragement of eloquence," and the restoration of our "sinking virtue." It was delivered for the plaintiff in an action for criminal conversation; and it pierced (we are told) "the heart of the defendant, even to the blackness of its core, by the withering glance of indignant genius." The editor, indeed, seems to be aware of the powerful circumstances which are likely to counteract the effects of "the breath of eloquence in re-animating the sleeping energies" of virtue. But he argues judiciously enough, that if the "electrical effects of the eloquence of Demosthenes upon the populace of Greece could nerve the arm of the coward, and soothe the ruffled spirit of the disaffected,"—"why should it not now be successful in correcting, or at least shaming, the depravities of the abandoned?"—and therewithal he gives us a metaphor of some length, touching a "wily serpent." It is, however, with the Speech itself, and not with the Preface, that we now have to do; and we proceed to consider it, laying wholly out of our view, as justice requires, the praises of the editor, and only recollecting of the speaker the very favourable impression left upon the public by his beautiful poem of the Emerald Isle, and his independent and honourable conduct in the political contests of his country.

We began the perusal of this performance under the impression that, as it was to be judged by a severe standard, some accuracy of diction might, among other essentials of oratory, be looked for. The two first sentences undeceived us; in which correctness is sacrificed to an unmeaning jingle three several times.

"In this case I am of counsel for the plaintiff, who has deputed me, *with the kind concession* of my much more efficient colleagues, to detail to you the story of his misfortunes. In the course of a long friendship which has existed between us, originating in *mutual* pursuits, and cemented by *mutual* attachment, never until this instant did I feel any thing but pleasure in *the claims which it created, or the duty which it imposed.*"

Concession is here, rather awkwardly, used for *assent*, but then the former word jingles with *kind*; *mutual* is put for *common*,

because it was to be repeated in the other limb of the sentence ; and a distinction is created between the *claims* and the *duty* of friendship, that we may hear *roundly* of the " claims which it created, or the duty which it imposed." The expression, " to *detail* to you the *story* of his misfortunes," is not happy—scarcely accurate. It should have been, " to tell you the story," or " to detail the particulars ;"—but rather the former. A friendship originating in similar pursuits is intelligible ; but " a friendship cemented by mutual attachment, after it had so originated, is not sense—it is as if he had said, " a friendship originating in our pursuits, and cemented by our friendship." In the third sentence Mr. Phillips says, " that he cannot help *being pained at the kindness of a partiality* which," &c. " *To be pained,*" never was good English, though there are old authorities for it ; to be pained at a thing, we suspect, never was English at all ;—but " the kindness of partiality" is an absurdity in any language. In the next sentence we have " misfortune veiling the furrows which its tears had burned, and hiding under the decorations of an artful drapery the heart-rent heavings with which its bosom throbbed : " a metaphor by no means correct, and therefore wholly to be rejected as a figure ;—but, were it ever so just, far too violent for the very opening of a speech. What orator ever ventured upon such ground at the end of the first minute ? Before he has been speaking another minute, we have him (as might indeed be expected) among " earthquakes that convulse, and pestilence that infects ; " and then comes one of the most laboured passages of the Speech, which closes the exordium. It begins with an expression, borrowed, we believe, from the American dictionary, and contains, beside much false ornament, some words, the coining of which could only have been excused in the vehemence of an advanced period of the declamation.

" No matter how we may have *graduated* in the scale of nations ; no matter with what wreath we may have been adorned, or what blessings we may have been denied ; no matter what may have been our feuds, or follies, or our misfortunes : it has at least been universally conceded, that our hearths were the home of the domestic virtues, and that love, honour, and conjugal fidelity, were the dear and indisputable deities of our household. Around the fire-side of the Irish hovel hospitality *circumscribed* its sacred circle ; and a provision to punish, created a suspicion of the possibility of its violation. But, of all the ties that bound, of all the bounties that blessed her, Ireland most obeyed, most loved ; most revered, the nuptial contract. She saw it the gift of Heaven, the charm of earth, the joy of the present, the promise of the future, the innocence of enjoyment, the chastity of passion, the sacrament of love : the slender curtain that shades the sanctuary of her marriage-bed has in its purity the splendour of the mountain snow, and for its protection the texture of the mountain adamant. Gentlemen, that national sanctuary has been invaded—that venerable divinity has been violated—and its tenderest pledges torn from their shrine, by the polluted rapine of a kindless, heartless, *prayerless*, remorseless adulterer. To you,—religion defiled, morals insulted, law despised, public order foully violated, and

plaintiff's mother fell a sacrifice to the distress of her son's family, and died before the trial of the cause. Mr. Phillips makes a good use of this passage; but we are really prevented from extracting his observations, by the dreadful piece of violent figure which spoils it;—he actually speaks of "the solace of an artery torn from the heart-strings."

It is impossible to vary the ordinary topics which cases of seduction present. The orator will dwell chiefly, no doubt, upon the peculiarities of the one in hand; but he must also bring before his auditors those features which it has in common with others, and which, after all, are likely to be the most important. In portraying these, he can hardly strike out any thing very novel at this time of day; and, accordingly, no one will blame Mr. Phillips for resorting to such established topics—(established because they have been found effective)—as enumerating the excuses which his adversary might have had for his conduct, but which he had not. Yet it must be observed, that this should be an enumeration, and very little more. He must not dwell upon them, as if he were really urging them in favour of the defendant, when he is only to shew that his conduct is left bare of all palliation. Had he been set to defend the seduction, he might have enlarged upon the enormities which had not been committed, because the direct tendency of such a description is to diminish the effect of the thing actually committed, and this effect is lessened by every shade that is cast upon the contrast. But nothing can be more absurd, than to descant at length upon a topic of palliation, merely in order to say, that your adversary had no such excuse. The following passage sins grievously against this rule; and is, moreover, in the worst style of florid and mawkish novel-writing.

"It might perhaps have been, that, in their early years, this guilty pair had cherished an innocent attachment; it might have been, that, in their spring of life, when Fancy waved her fairy wand around them, till all above was sunshine, and all beneath was flowers,—when, to their clear and charmed vision, this ample world was but a weedless garden, where every tint spoke Nature's loveliness, and every sound breathed Heaven's melody, and every breeze was but embodied fragrance;—it might have been, that, in this cloudless holiday, Love wove his roseate bondage around them, till their young hearts so grew together, that a separate existence ceased, and life itself became a sweet identity: it might have been, that, envious of this paradise, some worse than dæmon tore them from each other, to pine for years in absence, and at length to perish in a palliated impiety. Oh! Gentlemen, in such a case, Justice herself, with her uplifted sword, would call on Mercy to preserve the victim. There was no such palliation: the period of their acquaintance was little more than sufficient for the maturity of their crime; and they dare not libel love by shielding under its soft and sacred name the loathsome revels of an adulterous depravity."

A little further on, in handling another such topic, he alludes to Ireland, as "a land of courage and chivalry, where the female form has been held as a patent direct from the Divinity, bearing

in its chaste and charmed helplessness, the assurance of its strength, and the amulet of its protection." All which, we venture to say, is neither tolerable eloquence, nor even middling poetry, but wild incoherent rhapsody—a patchwork of broken pieces of figures, brought together to make some new figure, without consistency of form, symmetry of proportions, or harmony, or even nature in the colouring.

We now approach a part of the speech which was marked by the most unequivocal, and, we trust, universal testimony, of the audience's approbation. "A burst of applause," we are informed, "from the whole bar and auditory followed the delivery of this passage." It seems, the defendant had been vile, and also stupid enough to avow, that a love of distinction was the motive of his conduct; at least, so Mr. Phillips chooses to apply an expression used by him: and from thence he draws the passage so much applauded.

"I had heard, indeed, that ambition was a vice,—but then a vice so equivocal, it verged on virtue; that it was the aspiration of a spirit, sometimes perhaps appalling, always magnificent; that, though its grasp might be fate, and its flight might be famine, still it reposed on earth's pinnacle, and played in heaven's lightnings; that, though it might fall in ruins, it arose in fire, and was withal so splendid, that even the horrors of that fall became immersed and mitigated in the beauties of that aberration! But here is an ambition—base, and barbarous, and illegitimate; with all the grossness of the vice, with none of the grandeur of the virtue; a mean, muffled, dastard incendiary, who, in the silence of sleep, and in the shades of midnight, steals his Ephesian torch into the fane, which it was virtue to adore, and worse than sacrilege to have violated."

Now, we will venture to affirm, that if any one had dared in this country to produce such a *flight*, and had escaped the worst of calamities—moving his hearers to laughter, he would infallibly have encountered the next worst—the leaving their feelings far behind him, and uttering with vast emotion a most impassioned sentence, which fell dead and flat upon an audience unmoved, or ashamed of what they heard. We can much more easily forgive the other burst of applause, which is said to have followed the conclusion of the Speech—both because there is a tendency to applaud at the end of any harangue delivered with feeling, and because it is much better than the former passage. The topic, indeed, is not a common one in such cases; he asks damages to relieve the children of the marriage—but he works up the matter very well; and at the end more of vehemence can always be tolerated than in any other part.

"Believe me, Gentlemen, if it were not for those children, he would not come here to-day to seek such remuneration; if it were not that, by your verdict, you may prevent those little innocent defrauded wretches from wandering beggars, as well as orphans, on the face of this earth. Oh, I know I need not ask this verdict from your mercy; I need not extort it from your compassion; I will receive it from your justice. I do conjure you, not as fathers, but as husbands; not as husbands, but as citizens; not as citizens, but as men; ~~not as men, but as Christians;~~—by all your obliga-

tions, public, private, moral, and religious; by the hearth profaned, by the home desolated, by the canons of the living God foully spurned;—save, oh! save your fire-sides from the contagion, your country from the crime, and perhaps thousands, yet unborn, from the shame, and sin, and sorrow of this example.”

Among the least judicious parts of this speech, are the allusions to Lord Erskine. Of course we shall not be suspected of dissenting from the highest panegyric which eloquence, even more inflated than Mr. Phillips's, can bestow upon that great orator and most skilful advocate, how much soever we may regret that the praises of so fine a model should be chanted in so unchastened and even preposterous a strain. Neither must we be supposed to insinuate, that Mr. Phillips introduces Lord Erskine by way of comparison with himself. Of any such folly we freely acquit him; but there is something singularly injudicious in calling the attention of his audience to that distinguished master's performances in cases of the same sort, both because it shews that he is straining at an imitation of those models (a thing not good in poetry, and fatal to eloquence), and because it reminds us how great is his failure. Let him, indeed, find, in the whole compass of Lord Erskine's orations, one single instance of the business in hand (the great work of convincing or persuading) sacrificed to imagery or mere declamation, that is, sentence-making, and speaking for speaking-sake—and we shall advise him to take the yet more severe graces of Demosthenes for his model. But until he has found this specimen, we must recommend him to study Lord Erskine, rather than to praise him. If, indeed he must praise him, we venture to suggest, that “a subject suited to his *legitimate* mind,” is not intelligible; and that the following passage presents no very clear idea, though meant to be very descriptive—“By the rare union of all that was learned in law with all that was lucid in eloquence; by the singular combination of all that was pure in morals with all that was profound in wisdom; he has stamped upon every action of his life the *blended authority of a great mind, and an unquestionable conviction.*”

To conclude—Mr. Phillips is a man of undoubted talents, and even genius. He requires only a severe control over his fancy, and a careful study of the chaster models of composition, to excel in oratory. But the present specimen is unfavourable in itself; and only holds out a promise, which, if he listens to the plaudits of such auditors as he delivered it to, we are afraid, will never be fulfilled.

Just Published, by W. HONE, 55, Fleet Street, & 67, Old Bailey,

IN OCTAVO, PRICE SIXPENCE,

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TO
THE EDITOR
OF THE
EDINBURGH REVIEW.

SIR,

THE assertion in your last Review, that this is the second time within two years that I have been honoured by your enmity, is quite correct; and I begin by acknowledging this solitary truth in your entire article. I appealed to the public in the first instance—I do so now again, quite content, even though the same decision should provoke the third invective of mortified self-sufficiency. You have combined with mine, in this renewed attack, the name of Mr. Finlay—a man, above both my defence and your accusation.—Be assured, his character stands much too high to be affected by the sneer of an habitual libeller. In the contest between us you have a great advantage—the conceal-

ment of your name gives a currency to the scandal which might be deprived of all credit by its disclosure. It is said, indeed, that you are a member of the Scottish bar, but I cannot believe it; if you were, you would know too well, and I hope estimate too generously, the dispiriting difficulties of that profession, to attempt to crush a young man just struggling upon its threshold.—You would have felt that no adventitious discouragements were necessary—that competition, envy, and the abstruseness of the science, were in themselves sufficient; and you would not have disgraced your high profession, by soliciting the wages of mercenary defamation.

If disappointment even did sour you into a cynic, and that you questioned the talents which you could not emulate, your education would have taught you at least the principles of a gentleman; and you would have disdained to substitute falsehood for facts, and personalities for criticism. However, your name or your profession are of little consequence—you have surrendered the one for the mean trade of wholesale calumny, and you are very right not to consign the other to infamy by its publication.

I shall now, Sir, just examine a passage or two in the article before me, that the public may see how admirably the spirit in which it originated, has been followed up by its veracity.

You first accused me of having *puffed* my speeches.—You then affected satisfaction that your falsehood was exposed; and immediately after this extorted retraction, you reiterate on me the refuted charge of professional “*empiricism*.” “The confidence,” you say, “which dictated this publication, was a *plant of no sickly growth*.” What a right the man who produced this sublime and novel image has to accuse me of metaphor!

Now let us see what it was which really did “dictate this publication.” Early in my profession, I had made a speech, which very soon after its delivery was reported in the newspapers. The publication was, in many respects, a mutilated and incorrect one; but I had gained a very ample verdict for my client, and was, it appears, too culpably negligent of my personal reputation. The speech, such as it was, was instantly printed by no less than three* different unconnected booksellers in London, and by the provincial printers in almost every town in England. I appeal to each of those gentlemen, whether I made to him the slightest previous personal communication—whether the publication was not an experiment, for the purpose of his own individual profit—whether he had ever seen my face, or submitted a proof sheet for my correction—whether, in short, to use your own

* Mr. Asperne, Cornhill; Mr. Hone, Old Bailey; Mr. Andrews, Ebers’s, Old Bond Street.

phrase, it was " my confidence " or his own unsolicited enterprise, which dictated the proceeding? To say I was not gratified by this, as it was, singular distinction, would be adopting your own example, and saying what was not true. It did give me great gratification, a feeling in no way diminished by the reflection, that the moral of that speech at least, more than equalled its imaginary merit. I even submitted silently on that account, to the additional piracy of an Edinburgh publisher; and as I never blame any thing that is *national*, I forgave him his rapacity.

But though I submitted to Scotch piracy, I had no idea of countenancing Scotch misrepresentation. You instantly pounced on the little pamphlet, attacked it virulently, as an authorized publication, and visited upon me the consequences of your country's avarice. With characteristic venom you announced your determination to watch my entire professional life, and never omit an opportunity of reviling me. It was a malignant promise, and therefore you have kept it. Thus menaced, I was compelled to collect those fugitive trifles, and incur at least, the censure of no errors but my own.

Now, Sir, with the knowledge of those facts *confessed* by you—with the full conviction on your mind, that the publication was forced from me by the anonymous slander of perhaps some

baffled rival—how can you expect credit for the re-published falsehood, that it originated in “my own empiricism?” So much for the truth of your very first assertion. Is it followed up by a literary criticism, or a personal attack? “Mr. Finlay,” you say, “must know that it was the speech of a person *of little or no practice*; and who, *probably*, made no other speech for long before and after it was delivered.” The latter part of this sentence is not true. But you were quite ready to take it for granted, and argue away a man’s professional character on mere “*probabilities*.”

It may be as well here just to remark, *en passant*, in proof of your incredible carelessness of every thing but abuse, that after a laboured criticism upon this speech, you have the impudence to declare, that “*it is not in the volume!*” In the very outset I confessed, that I had never before spoken in a court of justice. Indeed, how could I? I was but a year called to the bar, and I will venture to say, it was never before known in the profession, that so young a man had such a case committed to his inexperience. But my client was my own personal friend, and, thank God, as far at least as depended on his barristers, he did not suffer by his generous confidence in their exertions. The jury awarded him 5000/.

But this with you is no criterion, though in

the very next page you most consistently rely upon a lesser verdict as an argument for my condemnation. Behold the logic of the Scotch Reviewer. He charges me with not attempting to "convince or persuade," and when I produce the instances where I have both "convinced and persuaded," he will acknowledge no test but of his own creation. An Irish jury, it seems, are bad judges,—“no worse test can be conceived”—that is, unless they find against me, and then their judgment, is as the wisdom of Daniel! Oh! most notable Aristarchus of the Highlands! When I succeed, damages are nothing—when I do not succeed, damages are every thing!

The reasoning, however, with respect to an advocate, is directly the reverse, because his failure may be in no way attributable to himself. Thus, in the two unsuccessful cases in which you so glorify yourself, the first was an action for seduction, where connivance was clearly inferential; and the other, was a libel case, in which my client, contrary to all his declarations, turned out to be pretty much such a libeller as yourself. If a man bringing an action, chooses to mislead his advocate by false instructions, he has only himself to blame for not succeeding. With equal justice you accuse me of “an injudicious choice of my topics.” Pray, Sir, have you read my briefs? Do you know what difficulties I had to encounter? What subjects I was to

avoid? What allusions the very policy of the case forced upon me? Or are you really so accomplished a dolt, as not to know that the topics of an advocate are often more the result of necessity than of choice.

In a similar spirit it is, that without any reference whatever to what preceded or followed, you held up to ridicule some high wrought passage, omitting all together the previous dry detail which it was meant to relieve, to enliven, or to illustrate. I might, on similar principles, take the numerical letter on any one of your pages, and present it as a specimen of the entire review. Such is your candour,—let us see whether it is not rivalled by your correctness. Where did you discover that to “bless” and to “adorn” express *the same idea*; and that to “ennoble” and to “immortalize” are synonymous terms?

On the same authority no doubt it is, that you deny the possibility of “rudeness being decorated,” as if the very wildest scenery in nature has not often the more of ornament, for having the less of art. I suspect, however, if you want a finished personification of decorated rudeness, that you need only disguise yourself in the habiliments of a gentleman.

I have now, Sir, selected such specimens of your conduct as will, I hope, enable the public

to appreciate your motives. We are in the face of day at issue before them, and I appeal to any man of sense, whether your object was to criticise or to *crush* me. Since the very infancy of your review, you have invariably attacked every author who has had the luck not to be born on the northern side of the Tweed. Your policy is of genuine Highland origin. The predatory banditti of the mountains, who hated the superiority, and lived by the plunder of their southern neighbours, are the exact model of your *literary borderers*.

Memorable indeed are the instances of this spirit, and memorable the exposures into which it has betrayed you. You attacked Lord Byron, and he chastised, rather than shamed you into a recantation.—You libelled Moore, and you have chaunted your palinode in a most insidious article, in which HOMER and MR. WALTER SCOTT are classed together!—You denounced the pious and the gifted Montgomery—With an impious industry, you raked into the very grave of Swift for the materials of your vilification.—You called the orations of our sublime Curran,* “*the ravings of a notorious Irish barrister* :” and I conclude my examples with that characteristic sentence, because it exhibits a most admirable compendium of your individual envy, and your national prejudice. In all those instances you were an indifferent critic, and fortunately

* See the Review of Mr. Payne Knight's work on *Taste*.

for the character of the country, you were a worse prophet. You are quite safe, however, from critical retaliation. Where is the single speech of your own upon which the public eye has rested for a moment? Does one solitary page attest your claim to character? Have you ever, in your life, made a literary effort, except in depreciating the fame of others? What are you, in short, but the masked robber of every man's reputation.—Your bread obtained by purveying to the worst passions, and your character, by traducing the brightest ornaments of society!

Remember, Sir, I did not seek this contest—you have attacked me twice in my character and my profession, and you have basely affected a regret at doing so; because, forsooth, our political principles coincided! Your political principles are, in my mind, as much an article of traffic as your libels, and your friendship so much the more dangerous than your enmity, because it would add the enjoyment of perfidy to that of defamation.

I now, Sir, take my leave of you—I have the consolation of thinking, that the sale of thousands upon thousands of those speeches, affords me at once a clue to your motives, and a proof that your opinions are at least not universal—that they are translated, not as you would insinuate, in the mere newspapers, but in separate

pamphlets, both in France and Italy—that their tendency is the very reverse of yours, to promote happiness, liberty, and religion; and that through the kind partiality of my countrymen, every term is adding to them.

Compelled thus unwillingly to speak of myself, I abandon the topic with much more pleasure than I commenced it. I am quite sincere in the acknowledgement of “my innumerable errors.”—They are not, however, the errors of the heart, and therefore, let me hope, are not incorrigible; but, perhaps, even cynicism could scarcely have expected from five years of professional life, all the results of experience,

I am, Sir,

&c. &c. &c.

CHARLES PHILLIPS.

Dublin,
January 10, 1818.

N O T E.

I.

To Mr. Hone,

SIR,

UNDERSTANDING you are about to publish a Letter from Mr. Phillips in reply to an Article in the last Edinburgh Review, I think myself bound in justice to Mr. Phillips to state, that when his Speech in *Guthrie v. Sterne* was published by me, we were wholly unacquainted, and he was utterly ignorant of my intention. Of that Speech, about 3000 copies were sold; and of the Speeches on the Catholic Question, a less number. Mr. Phillips received no emolument whatever from the publication of either.

I am, &c.

JOHN ANDREWS.

*Old Bond Street,
23d Jan. 1818.*

II.

To Mr. Hone.

SIR,

IN answer to your enquiry respecting Mr. Phillips's Speeches published by me, I have to acquaint you, that I published them without any previous communication with Mr. Phillips, or without any knowledge of that gentleman at that time; there were about 8000 so published, solely on my own account, and consequently, without Mr. Phillips deriving any pecuniary advantage from them.

When Mr. Phillips came to London, he sat to Mr. Drummond at my request for his portrait,—it is as you know, an excellent likeness; I published an engraving from it, with a Memoir of Mr. Phillips, in the European Magazine for Nov. 1816.

I am, &c.

JAS. ASPERNE.

*32, Cornhill,
24th January, 1818.*

III.

Mr. Hone's Statement.

As the publisher of the greatest number of Mr. Phillips's Speeches, it becomes my duty to state, that I had no communication with that gentleman until he was in London, just before his Speech at the public dinner given to him at Liverpool. I had then published six of his Speeches. When he was again in England, in October last, I saw him several times; and on the morning he attended Mr. Curran's funeral, I sent him a plain silver snuff-box, with a line of inscription; this is all Mr. Phillips ever received from me in acknowledgment for my editions of his Speeches.

The methods taken to extend the sale of the various editions by advertisements and otherwise, were such as suited the interest or convenience of the publisher.

For the copyright of Mr. Phillips's "Lament of the Emerald Isle," on the death of the Princess Charlotte, I about three weeks ago remitted him a sum—the only pecuniary transaction between us—which, on the sale of the Monody exceeding a certain number, I shall be enabled to double.

The sales of my editions of Mr. Phillips's Speeches hitherto, are, on a rough estimate, as under:

Title.	Sells for	Copies Sold.
Guthrie v. Sterne	6d. . . .	11,000
On the Catholic Question	6d. . . .	2,500
O'Mullan v. M. Korhill	6d. . . .	2,000
Connaghtan v. Dillon	6d. . . .	4,000
Creighton v. Townshend	6d. . . .	2,000
At Liverpool	6d. . . .	8,000
Blake v. Wilkies	6d. . . .	1,500
Browne v. Blake	3d. . . .	2,500
Character of Napoleon	6d. . . .	3,000
First Letter to the Editor of the "Edinburgh Review"	6d. . . .	4,500
		<hr/> 41,000

Including the various country editions, (some of them very incorrectly printed), there have not been less I am persuaded, than 250,000 copies of Mr. Phillips's Speeches circulated in England.

WILLIAM HONE,

27th January, 1818.

